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A SUPPLEMENT
TO A
DIGEST
OF THE
PUBLIC GENERAL STATUTES,
CONTAINING
THE ACTS PASSED IN THE 3RD, 4TH, 5TH, AND 6TH YEARS OF
THE REIGN OF GEORGE IV.:
WITH AN
ANALYTICAL INDEX,
AND CHRONOLOGICAL TABLES OF STATUTES REPEALED
IN THE ABOVE PERIOD.

By ROBERT PHILIP TYRWHITT, Esq.,
OF THE MIDDLE TEMPLE, BARRISTER AT LAW ;
AND THOMAS WILLIAM TYNDALE, Esq.,
OF THE MIDDLE TEMPLE.

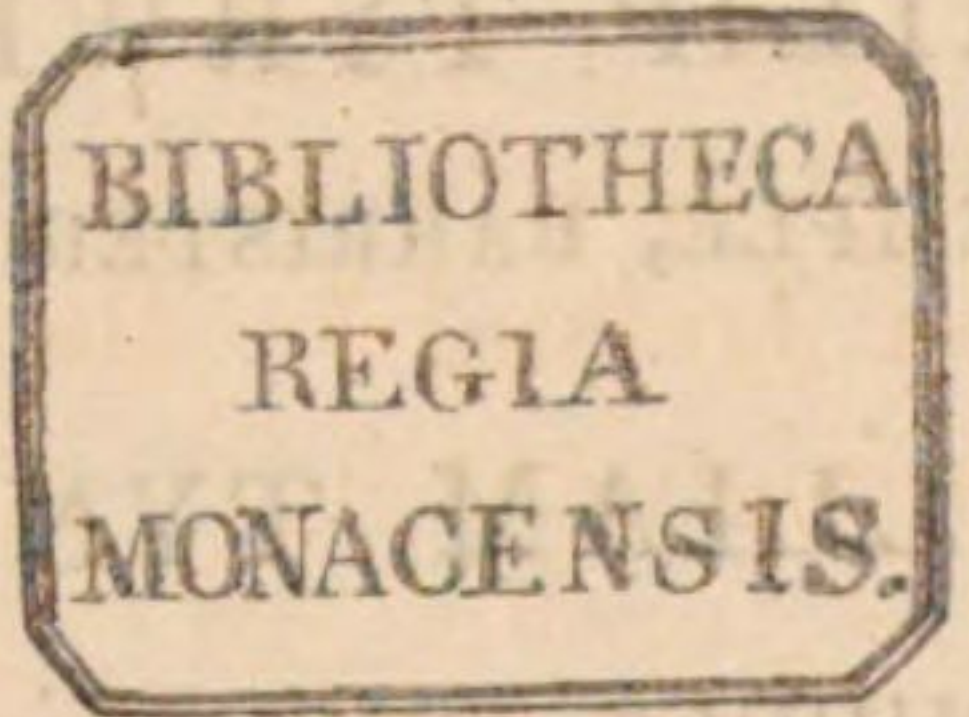
LONDON :

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LAW-PRINTER TO THE KING'S MOST EXCELLENT MAJESTY ;
FOR J. BUTTERWORTH AND SON, LAW-BOOKSELLERS, 43, FLEET-STREET; AND
C. HUNTER, LAW-BOOKSELLER, 26, BELL-YARD, LINCOLN'S INN.

1826.

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ADVERTISEMENT.

THIS Supplement to a Digest of the Public General Statutes, contains the acts passed in the Parliament of the United Kingdom, during the *Third, Fourth, Fifth, and Sixth* years of the Reign of King *George* the Fourth, and takes up the Statutes from the period where the Digest left off. The Digest and Supplement together, thus present a complete view of the statute law, from Magna Charta, A.D. 1224-5, to the 6 Geo. 4., A.D. 1825, inclusive. A List of Titles and four Chronological Tables are prefixed; *viz.*

1st, A Chronological Table of the Public General Statutes, from 3 G. 4. A. D. 1822, to 6 G. 4. A. D. 1825, both inclusive, showing which are repealed or expired, and referring to those contained in this Supplement.

2d, A like Table of the Public General Statutes from Magna Charta 9 H. 3. *circa*, A. D. 1224—5, to 6 G. 4. A. D. 1825. inclusive, which are entirely or in part repealed by statutes passed in the third, fourth, fifth, or sixth years of George IV., or which have expired within that period.

3d, A like Table of acts of the Scotch parliaments repealed by acts passed in the parliament of the United Kingdom of Great Britain and Ireland in the third, fourth, fifth, and sixth years of George IV., and contained in this Supplement.

4th, A like Table of acts of Irish parliaments repealed by acts passed in the parliament of the United Kingdom of Great Britain and Ireland in the third, fourth, fifth, and sixth years of George IV., and contained in this Supplement.

The plan pursued in this Supplement has been strictly that upon which the Digest was constructed; but a variation has been made in the practical part of it, by printing the titles of the different acts digested together in a larger type. The small capital letters by which these titles were distinguished in the Digest, it was considered, did not render them sufficiently conspicuous in rapidly turning over the leaves, and in consequence one of the purposes with which they were introduced, *viz.* that of showing at one view how every act had been altered, repealed, or amended by any subsequent act or acts, had not been answered, and some very useful information lost. The method now adopted will, it is hoped, obviate this inconvenience, and give additional facility for research into the numerous and complicated provisions of our statute law.

Every Title contained in the original work, the acts digested under which have been in the least degree affected by any act passed in the sessions comprehended in the Supplement, has been carried into the body of the Supplement or the Index, or both, and the particular repeal, alteration, or amendment there properly noticed; where, therefore, any title in the Digest is not found in the Supplement, it may be for the most part taken for granted, that the statutes consolidated under it remain perfectly untouched.

A reference to the title STATUTES, and the Chronological Tables in this work, will at once show the degree of labour thrown on the compilers, by the sweeping repeals made during the Sessions comprised in it, especially in the last two; a labour greatly enhanced by the uncertain language employed to effect these repeals, and which, in very many instances, where the words, "so much of an act intituled, &c. as relates to," were used, resisted every attempt to discover the extent of the repeal, or the particular sections or parts of sections intended to be annulled. Those repeals which simply affected fiscal regulations in this manner, were not of any particular moment, and the difficulty in that case is therefore the less to be regretted; but when they reached provisions of a more public nature, such as Bankrupts, Juries, Weights and Measures, Transportation, Gaols, and many other important titles, it became absolutely necessary to give these general words a definite operation, in order to point out clearly what parts of the old law were still in force. A great delay was thus unavoidably occasioned in the appearance of this work, and which has protracted its publication so long beyond the close of the sixth session; but it is now submitted to the Profession, with the hope it will be found an useful adjunct to the Digest.

TEMPLE, *March 25th, 1826.*



A LIST

OF

THE TITLES IN THIS SUPPLEMENT

TO

A DIGEST OF THE STATUTES.

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CHRONOLOGICAL TABLE

OF

THE PUBLIC GENERAL STATUTES

FROM 3 Geo. 4. A.D. 1822, TO 6 Geo. 4. A.D. 1825, BOTH INCLUSIVE,

SHEWING

WHICH ARE REPEALED OR EXPIRED, AND REFERRING TO THOSE CONTAINED IN THIS SUPPLEMENT TO A DIGEST OF THE STATUTES.

NOTE.—The references in figures following the subject matter of each Act are made first to the sections, and afterwards to the pages and placita in which it is placed in the text of this Supplement.

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- c. 1. Insurrections, (*Ire.*)
- c. 2. Detaining persons suspected of treason, (*Ire.*)
- c. 3. Seizure of arms and gunpowder, *Ire.* indemnity.
- c. 4. Importation of arms, &c. into *Ire.* and the making &c. of arms gunpowder and ammunition.
- c. 5. REP. of ss. 6, 8. of 55 G. 3. c. 120. for taking account of population in *Ire.*
- c. 6. Annual duties on sugar, tobacco, &c.
- c. 7. Application of monies for year 1822.
- c. 8. Raising 20,000,000*l.* by exchequer bills.

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- c. 9. Reduction of 5 *per cent.* to 4 *per cent.* stock, 279. tit. STOCKS, *pl.* 2.
- c. 10. Opening commission at assizes after day appointed, tit. ASSIZES, 128, 129, *pl.* 1—4. *Eng.*

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- c. 11. Annual marine force mutiny act.
- c. 12. Annual indemnity act.
- c. 13. Annual mutiny act, army.
- c. 14. Land-tax commissioners, tit. LAND-TAX, ss. 1—5. 135. *pl.* 1—6.
- c. 15. Continuing 58 G. 3. c. 97. respecting denizens, 6. tit. ALIEN, *pl.* 1.

(April 3.)

- c. 16. Amending 1 & 2 G. 4. c. 48. as to attornies, &c. tit. ATTORNEY, 8. *pl.* 1, 2.
- c. 17. Irish 5 *per cent.* reduced to 4 *per cent.* stock.
- c. 18. Excise duty on malt repeal.
- c. 19. Admiralty commissioners, s. 1. *pl.* 1, 2.

(May 15.)

- c. 20. Rates of subsistence of soldiers to innkeepers.
- c. 21. Amending 58 G. 3. c. 47. for fever hospitals, (*Ire.*)
- c. 22. Amending 1 G. 4. c. 39. for advancing money for support of commercial credit in *Ire.*
- c. 23. Summary proceedings before justices, (*Eng.* and *Ire.*) ss. 1—4. 129. *pl.* 1—5.

3 Geo. 4. A. D. 1822. (continued.)

- c. 24. Receivers of stolen bonds, choses in action, &c. punished, ss. 1—3. 173. *pl.* 1—4.

- c. 25. Flax and cotton manufacture: starch and soap excise.

- c. 26. Reducing interest paid to bank of *Ire.*

- c. 27. Excise licences, amending 55 G. 3. c. 30.—s. 2. REP. c. 67. s. 1.

- c. 28. Bounties on *British* and *Irish* linens export.

- c. 29. *Scotch* bankrupt act, 54 G. 3. c. 137. continued.

- c. 30. Reducing duty on bear or bigg malt in *Scot.*

- c. 31. Countervailing duties on malt beer and spirits, between G. B. and *Ire.*

(May 24.)

- c. 32. Repealing duties on silk net, and granting others.

- c. 33. Actions against hundreds for malicious mischief, (*Eng.* and *Scot.*), 138. *pl.* 1—17. 8. tit. ASSEMBLIES, *pl.* 1. 108. tit. HUE & CRY, 146. tits. MILLS, MINES.

- c. 34. Employing poor, (*Ire.*)

- c. 35. Foundling-hospital *Dublin.*

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- c. 36. Reducing malt duty in *Ire.*

- c. 37. Commissioners for enquiring into revenue, (*Ire.*)

- c. 38. s. 1. 142. tit. MANSLAUGHTER, s. 2. servants robbing their masters, 207. tit. SERVANTS, *pl.* 2. ss. 2, 3, 4. accessories to grand larceny, 1. *pl.* 1—3.

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- c. 41. Repealing divers ancient statutes relating to trade, 246—259. *pl.* 3—259.

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c. 47. Repealing 1 & 2 G. 4. c. 51. for mortgages in *Ire.* and colonies, s. 1. 146. pl. 2.

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c. 48. Repealing tonnage-duties on ships.

c. 49. Residence of sheriffs depute of the counties of *Edinburgh* and *Lanark*.

c. 50. Assessed taxes composition, s. 1. 290. pl. 48. ss. 4, 5. 285. pl. 15, 16.

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c. 52. Duties on wash, &c. and regulating distilleries, (*Scot.*)

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c. 99. Duties on salt in *Ire.*

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c. 101. Lotteries.

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c. 105. Postage between *Liverpool* and *Isle of Man*.

c. 106. Continuing 1 & 2 G. 4. c. 106. as to duty on *E. I.* sugar.

c. 107. Drawbacks on brimstone.

c. 108. Barrack-office estates vested in *H. M.*'s ordnance office.

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c. 3. Annual duties on sugar, tobacco, pensions.

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c. 7. Office of chancellor of exchequer, (*Ire.*)

c. 8. *Scotch* bankrupt, continuing 54 G. 3. c. 157.

c. 9. Assessed taxes on servants, horses, carriages, dogs, (*Ire.*)

c. 10. Amending 1 G. 4. c. lxxxiv., *Scotch* bridges.

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- c. 12. Annual marine mutiny act.
- c. 13. Annual mutiny act.
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- c. 15. Yeomanry corps in *Ire.*
- c. 16. Turnpike tolls on lime, ss. 1, 2. 329. *pl.* 227—229. (*March 26.*)
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- c. 21. Application of certain monies for 1823.
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- c. 23. Consolidation of the boards of customs and excise of G. B. and *Ire.* (*May 12.*)
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- c. 38. Compensations to holders of offices in the courts of law in *Ire.*
- c. 39. Customs on brimstone.
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OF

THE PUBLIC GENERAL STATUTES,

FROM *MAGNA CARTA*, (9 *Hen. 3. circa* A. D. 1224—5.) TO 6 *Geo. 4.* A. D. 1825, INCLUSIVE,

WHICH ARE ENTIRELY OR IN PART REPEALED

By Statutes passed in the Third, Fourth, Fifth, or Sixth Years of the Reign of King George the Fourth,

OR WHICH HAVE EXPIRED WITHIN THAT PERIOD.

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| <p>1259. 45 <i>H. 3.</i> REP. as to exemptions from assizes, juries, and inquests, by 6 <i>G. 4. c. 50. s. 62.</i></p> <p>1266-7. 51 <i>H. 3.</i> <i>Assisa panis et cervisie</i>, REP. 5 <i>G. 4. c. 74. s. 23.</i></p> <p>1267. 52 <i>H. 3. c. 14.</i> REP. as to exemptions from juries, 6 <i>G. 4. c. 50. s. 62.</i></p> <p>52 <i>H. 3. c. 24.</i> REP. as to persons liable to serve on inquests before sheriffs and coroners, 6 <i>G. 4. c. 50. s. 62.</i></p> <p>1284. 12 <i>Ed. 1. Stat. Wallie</i>, as to jurors on coroners' inquests, REP. 6 <i>G. 4. c. 50. s. 62.</i></p> <p>1285. 15 <i>Ed. 1. c. 30.</i> as to restriction on jurors, REP. 6 <i>G. 4. c. 50. s. 62.</i></p> <p>15 <i>Ed. 1. Westm.</i> See <i>c. 38.</i> REP. as to number and sort of persons returned in juries and assizes, by 6 <i>G. 4. c. 50. s. 62.</i></p> <p>1290-91. 20 <i>Ed. 1. st. 4. c. 1. s. 1.</i> and in part <i>ss. 3, 4.</i> REP. as to import of money, 3 <i>G. 4. c. 41. s. 1.</i></p> <p>1293. 21 <i>Ed. 1. st. 2.</i> The qualification of jurors, REP. 6 <i>G. 4. c. 50. s. 62.</i></p> <p>1299. 27 <i>Ed. 1. (Stat. de falsa Moneta.)</i> That no silver coin be exported, REP. 3 <i>G. 4. c. 41. s. 3.</i></p> <p>1299. 28 <i>Ed. 1. st. 3. c. 9.</i> REP. as to impanelling juries, by 6 <i>G. 4. c. 50. s. 62.</i></p> <p>1304-5. 33 <i>Ed. 1. st. 1.</i> Definition of conspirators, REP. as to combinations of workmen, 6 <i>G. 4. c. 129. s. 2.</i></p> <p>33 <i>Ed. 1. st. 2.</i> Ordinance for inquest, REP. 6 <i>G. 4. c. 50. s. 62.</i></p> <p>1306. 34 <i>Ed. 1. st. 5. c. 3.</i> Serving on juries taken without the forest, REP. 6 <i>G. 4. c. 50. s. 62.</i></p> <p><i>Stat. incerti Temporis.</i></p> <p>No. I. <i>cc. 1—11. De pistoribus, &c.</i> REP. 5 <i>G. 4. c. 74. s. 23.</i></p> <p>No. II. <i>Statutum panis et cervisie. Semb.</i> REP. 5 <i>G. 4. c. 74. s. 23.</i> as well as 51 <i>H. 3. sed qu.</i></p> <p>No. III. <i>Tractatus de ponderibus et mensuris</i>, REP. 5 <i>G. 4. c. 74. s. 23.</i></p> <p>No. IV. <i>Compositio ulnarum et perticarum</i>, REP. 5 <i>G. 4. c. 74. s. 23.</i></p> <p>No. V. <i>De admensuratione terrarum</i>, REP. 5 <i>G. 4. c. 74. s. 23.</i></p> <p>1326-7. 1 <i>Ed. 3. st. 1. c. 7.</i> Gaolers using duress, REP. 4 <i>G. 4. c. 64. s. 1.</i></p> <p>1330. 4 <i>Ed. 3. c. 10.</i> Sheriffs and gaolers to receive offenders without fee, REP. 4 <i>G. 4. c. 64. s. 1.</i></p> <p>1331. 5 <i>Ed. 3. c. 10.</i> Jurors, REP. 6 <i>G. 4. c. 50. s. 62.</i></p> <p>1335. 9 <i>Ed. 3. st. 1. c. 1.</i> REP. as to sale of coin, &c. by aliens in the</p> | <p>realm, 3 <i>G. 4. c. 41. s. 1.</i>, and as to aliens carrying no more out of realm, by <i>id. s. 3.</i></p> <p>1336-7. 11 <i>Ed. 3. c. 1.</i> Export of wool, REP. 5 <i>G. 4. c. 41. s. 3.</i></p> <p>11 <i>Ed. 3. c. 2.</i> Cloths, import, REP. 1 <i>Ja. 1. 25. s. 45.</i> Again REP. 3 <i>G. 4. c. 41. s. 1.</i></p> <p>11 <i>Ed. 3. c. 3.</i> Cloths, import, REP. 3 <i>G. 4. c. 41. s. 1.</i></p> <p>1340. 14 <i>Ed. 3. st. 1. c. 10.</i> Sheriffs, &c. to have keeping of gaols, gaolers using duress, REP. 4 <i>G. 4. c. 64. s. 1.</i></p> <p>14 <i>Ed. 3. st. 1. c. 12.</i> Weights and measures, REP. 5 <i>G. 4. c. 74. s. 23.</i></p> <p>14 <i>Ed. 3. st. 1. c. 21. s. 2.</i> That exporters of wool shall bring silver plate in return, REP. 3 <i>G. 4. c. 41. s. 3.</i> REP. also as to contents of a sack of wool, 5 <i>G. 4. c. 74. s. 23.</i></p> <p>14 <i>Ed. 3. st. 2. c. 2.</i> Free trade by aliens in <i>Eng.</i> REP. 3 <i>G. 4. c. 41. s. 1.</i></p> <p>14 <i>Ed. 3. st. 2. c. 3.</i> Wool, REP. 3 <i>G. 4. c. 41. s. 3.</i></p> <p>1343. 17 <i>Ed. 3. c. 1. ss. 2, 3.</i> Coin export, REP. by 59 <i>G. 5. c. 49. ss. 11, 12.</i> 3 <i>G. 4. c. 41. s. 10.</i></p> <p>1344. 18 <i>Ed. 3. st. 2. c. 5.</i> REP. as to the sea being open to all merchants, 3 <i>G. 4. c. 41. s. 1.</i></p> <p>18 <i>Ed. 3. st. 2. c. 4.</i> Weights and measures, REP. as to commissioners to assay weights and measures, 5 <i>G. 4. c. 74. s. 23.</i></p> <p>1346. 20 <i>Ed. 3. c. 6.</i> REP. as to embracers and corrupt jurors, 6 <i>G. 4. c. 50. s. 62.</i> Misdemeanors to be punished by justices of assize.</p> <p>1350-2. 25 <i>Ed. 3. st. 3. vulgo 4.</i> Free trade of aliens in <i>Eng.</i>, REP. 3 <i>G. 4. c. 41. s. 1.</i></p> <p>25 <i>Ed. 3. st. 5. cc. 9, 10.</i> Weights and measures, REP. as relates to auncel weight, and the weight of the sack of wool, and as to the bushel, &c. of corn, by 5 <i>G. 4. c. 74. s. 23.</i></p> <p>1353. 27 <i>Ed. 3. st. 1. c. 5.</i> REP. as to buying, &c. or forestalling Gascoign wine, REP. 3 <i>G. 4. c. 41. s. 1.</i></p> <p>27 <i>Ed. 3. st. 1. c. 6.</i> REP. as to import of wines, by 3 <i>G. 4. c. 41. s. 1.</i></p> <p>27 <i>Ed. 3. st. 1. c. 7.</i> REP. as to buying, &c. or forestalling Gascoign wines, 3 <i>G. 4. c. 41. s. 1.</i></p> <p>27 <i>Ed. 3. st. 1. c. 8.</i> REP. as to gauging wines by King's gauge, 3 <i>G. 4. c. 41. s. 1.</i></p> |
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1553. 27 *Ed. 3. st. 2.* The statute of the staple, cc. 1—28. 2. concerning fees of mayors, &c. of the staple, REP. 3 G. 4. c. 41. s. 5.
- 27 *Ed. 3. st. 2. c. 2.* REP. as to free trade of aliens in *Eng.*, 3 G. 4. c. 41. s. 1.
- 27 *Ed. 3. st. 2. c. 3.* REP. as to export of wool, 3 G. 4. c. 41. s. 3.
- 27 *Ed. 3. st. 2. c. 8.* REP. as to trial of suits between aliens and denizens, 6 G. 4. c. 50. s. 60.
- 27 *Ed. 3. st. 2. c. 11.* REP. as far as relates to uniformity of weights and measures, 5 G. 4. c. 74. s. 23.
- 27 *Ed. 3. st. 2. c. 14.* REP. as to export of gold and silver, 59 G. 3. c. 49. ss. 11, 12., 3 G. 4. c. 41. s. 5.
1354. 28 *Ed. 3. c. 5.* Export of iron, REP. 3 G. 4. c. 41. s. 3.
- 28 *Ed. 3. c. 13. s. 2.* Statute of staple, REP. as to inquests between aliens and denizens, by 6 G. 4. c. 50. s. 62.
- REP. as to ships of aliens coming to the realm, and as to disturbing alien merchants, by 3 G. 4. c. 41. s. 1.
- 28 *Ed. 3. c. 13. s. 1.* continuing, &c. statute of staple, s. 2. packing wools, REP. 3 G. 4. c. 41. s. 5. 6 G. 4. c. 50. s. 2.
- 28 *Ed. 3. cc. 14, 15.* shewing and sale of wool at staple, REP. 3 G. 4. c. 41. s. 5.
1357. 31 *Ed. 3. st. 1. c. 2.* REP. as to prices and weight of wools, by 4 G. 4. c. 77. s. 23.
- 31 *Ed. 3. st. 1. c. 5.* REP. as to contents of tuns of wine by 3 G. 4. c. 41. s. 1., and as to price and weight of wools by 3 G. 4. c. 74. s. 23.
- 31 *Ed. 3. cc. 7—9.* Export of wool, REP. 3 G. 4. c. 41. s. 5.
- 1360-61. 34 *Ed. 3. c. 4.* Juries, REP. as to juries being of the neighbourhood, by 6 G. 4. c. 50. s. 62.
- 34 *Ed. 3. c. 5.* Weights and measures, REP. 5 G. 4. c. 74. s. 23.
- 34 *Ed. 3. c. 8.* REP. as to juror taking reward to give verdict, by 6 G. 4. c. 50. s. 62.
- 34 *Ed. 3. c. 13.* REP. as to qualifications of jurors on inquests of escheat, by 6 G. 4. c. 50. s. 62.
1362. 36 *Ed. 3. st. 1. c. 7.* Jurisdiction of mayor and constable of staple, REP. 3 G. 4. c. 41. s. 5.
- 36 *Ed. 3. st. 1. c. 11.* Wool export by denizens, REP. 3 G. 4. c. 41. s. 3.
- 36 *Ed. 3. st. 1. c. 13.* REP. as to jurors on inquests of escheat, by 6 G. 4. c. 50. s. 62.
1363. 37 *Ed. 3. c. 16.* REP. as to confirming, altering, or amending statutes on wines, 3 G. 4. c. 41. s. 1.
- 1364-5. 38 *Ed. 3. st. 1. c. 2.* REP. as to exports by aliens, 3 G. 4. c. 41. s. 1.
- 38 *Ed. 3. st. 1. c. 2. s. 2.* REP. as to export of gold or silver, 59 G. 3. c. 49. ss. 11, 12., 3 G. 4. c. 41. s. 10.
- 38 *Ed. 3. st. 1. c. 7.* Confirmation of 27 *Ed. 3. st. 2.* Staple, REP. 3 G. 4. c. 41. s. 5.
- 38 *Ed. 3. st. 1. c. 8.* Ships shall not be lost for a small thing therein not customed, REP. 3 G. 4. c. 41. s. 1.
- 38 *Ed. 3. st. 1. c. 10.* Confirmation of statutes respecting foreign wines, REP. as to 3 G. 4. c. 41. s. 1.
- 38 *Ed. 3. st. 1. c. 11.* REP. as to aliens selling wine in the realm, 3 G. 4. c. 41. s. 1.
- 38 *Ed. 3. st. 1. c. 12.* REP. as to penalties on corrupt jurors and embracers, by 6 G. 4. c. 50. s. 62.
1368. 42 *Ed. 3. c. 8.* REP. as to import of wine by aliens, 3 G. 4. c. 41. s. 1.
- 42 *Ed. 3. c. 11.* REP. as to arraying panels of jurors, by 6 G. 4. c. 50. s. 62.
1369. 43 *Ed. 3. c. 1.* Wool trade and export, REP. 3 G. 4. c. 41. ss. 1. 3. 5.
- 43 *Ed. 3. c. 2.* REP. as to subjects going to *Gascoigne* for wines, 3 G. 4. c. 41. s. 1.
- 1376-7. 50 & 51 *Ed. 3. c. 7.* That woollen cloths shall not be exported before fulled, REP. 3 G. 4. c. 41. s. 3.
- 1378-9. 2 *R. 2. st. 1. c. 1.* Staple at *Calais*, REP. 3 G. 4. c. 41. ss. 1. 5.
- 2 *R. 2. st. 1. c. 3.* Staple merchandizes export, REP. 3 G. 4. c. 41. ss. 1. 5.
1380. 4 *R. 2. c. 1.* Gauging vessels of wine, &c. imported, REP. 3 G. 4. c. 41. s. 1., also REP. 5 G. 4. c. 74. s. 23.
- 1381-2. 5 *R. 2. st. 1. c. 2. ss. 1. 3.* REP. as to export of gold and silver coin, &c. 59 G. 3. c. 49. ss. 11, 12., 3 G. 4. c. 41. s. 10.
- s. 2. Departing realm, REP. 4 J. 1. c. 1. s. 22.
- 5 *R. 2. st. 1. c. 3.* REP. 3 G. 4. c. 41. s. 1.
- 5 *R. 2. st. 2. c. 1.*, REP. as to aliens trading without disturbance, 3 G. 4. c. 41. s. 1.
- 1382-3. 6 *R. 2. st. 1. c. 8.* *British* shipping, REP. 3 G. 4. c. 41. s. 1.
- 6 *R. 2. st. 1. c. 10.* Import of provisions by aliens, REP. 3 G. 4. c. 41. s. 1.
1383. 7 *R. 2. c. 7.* REP. as to granting *nisi prius* at suit of jurors, by 6 G. 4. c. 50. s. 62.
- 1387-8. 11 *R. 2. c. 7.* Confirmation of certain statutes, REP. 3 G. 4. c. 41. s. 1.
1388. 12 *R. 2. c. 16.* Staple removed from *Middleburgh* to *Calais*, REP. 3 G. 4. c. 41. s. 5.
- 1389-90. 13 *R. 2. st. 1. c. 9.* REP. as to weights and measures, and price of wool, by 5 G. 4. c. 74. s. 23.
1390. 14 *R. 2. c. 1.* Alien merchants, s. 1. REP. 3 G. 4. c. 41. s. 5., s. 2. REP. 3 G. 4. c. 41. s. 1.
- 14 *R. 2. c. 2.* Alien, REP. 3 G. 4. c. 41. s. 1.
- 24 *R. 2. c. 3.* Oaths of officers of staple, REP. 3 G. 4. c. 41. s. 5.
- 14 *R. 2. c. 5.* Export by denizen of wools, leather, or lead; oaths of officers of staple, REP. 3 G. 4. c. 41. ss. 3. 5.
- 14 *R. 2. c. 6.* *English* shipping, REP. 3 G. 4. c. 41. s. 1.
- 14 *R. 2. c. 7.* Tin export from *Dartmouth*, REP. 21 J. 1. c. 28. s. 11., 3 G. 4. c. 41. ss. 1. 10.
- 14 *R. 2. c. 10.* Regulating customers, controllers, and other officers, REP. 3 G. 4. c. 41. s. 1.
1391. 15 *R. 2. c. 4.* REP. as to weights and measures of corn, wine, ale, and malt, by 5 G. 4. c. 74. s. 23.
- 15 *R. 2. c. 8.* Tin export, REP. 21 J. 1. c. 28. s. 11., 3 G. 4. c. 41. s. 10.
- 15 *R. 2. c. 9.* Recognizances of the staple, REP. in part 3 G. 4. c. 41. s. 5.
- 1392-3. 16 *R. 2. c. 1.* Merchants, spicery, ss. 2, 3. REP. 3 G. 4. c. 41. ss. 1. 3.
- 16 *R. 2. c. 3.* REP. as to clerk of market, assay and use of his weights and measures, by 5 G. 4. c. 74. s. 23.
- 1393-4. 17 *R. 2. c. 1.* Coin, how far REP. see 59 G. 3. c. 49. s. 11., 3 G. 4. c. 41. s. 10.
- 17 *R. 2. c. 3.* Export of worsted, REP. 3 G. 4. c. 41. s. 3.
- 17 *R. 2. c. 5.* Officers of customs, REP. 6 G. 4. c. 105.
- 1396-7. 20 *R. 2. c. 4.* Merchants strangers, REP. 3 G. 4. c. 41. s. 1.
- 1397-8. 21 *R. 2. c. 17.* Staple at *Calais*, 3 G. 4. c. 41. s. 5.
1399. 1 *H. 4. c. 13.* Customs officers, REP. 6 G. 4. c. 105.
- 1 *H. 4. c. 17.* Sale of victuals and fish by aliens, REP. 3 G. 4. c. 41. s. 1.
- 1400-1. 2 *H. 4. c. 5.* Gold and silver, REP. 59 G. 3. c. 49. s. 11., 3 G. 4. c. 41. s. 10.
1402. 4 *H. 4. c. 15.* Export of gold and silver coin, REP. 3 G. 4. c. 41. s. 1.
- 4 *H. 4. c. 16.* Gold and silver export, REP. 3 G. 4. c. 41. s. 3.
- 4 *H. 4. c. 20.* REP. as to lading and discharge of goods in great ports of the sea, 3 G. 4. c. 41. s. 1., and as to officers of customs, 6 G. 4. c. 105.
- 4 *H. 4. c. 21.* Searchers of customs, REP. 6 G. 4. c. 105.
- 1403-4. 5 *H. 4. c. 7.* Alien merchants, REP. 3 G. 4. c. 41. s. 1.
- 5 *H. 4. c. 9.* Alien merchants, REP. 3 G. 4. c. 41. s. 1.
1404. 6 *H. 4. c. 4.*, Alien merchants, REP. 3 G. 4. c. 41. ss. 1. 3.
- 1409-10. 11 *H. 4. c. 2.* Customs officers, REP. 6 G. 4. c. 105.

- 1409-10. 11 *H.4. c.8.* Aliens, exchanges, REP. 3 *G.4. c.41. s.1.*
 11 *H.4. c.9.* REP. as to return of jurors in indictments by
 6 *G.4. c.50. s.62.*
1411. 13 *H.4. c.5.* Officers of customs, REP. 6 *G.4. c.105.*
1413. 1 *H.5. c.10.* Measure of corn, REP. 4 *G.4. c.77. s.23.*
1414. 2 *H.5. st.2. c.3.* REP. as to qualifications of jurors by 6 *G.4. c.50. s.62.*
 2 *H.5. st.2. c.6.* Staple at *Calais*, REP. 3 *G.4. c.41. s.5.*
1416. 4 *H.5. c.5.* REP. as to confirmation of 5 *H.4. c.7.* by 3 *G.4. c.41. s.1.*
1420. 8 *H.5. c.2.* Gold and silver, REP. 3 *G.4. c.41. s.3.*
1421. 9 *H.5. st.2. c.9.* Exchanges by aliens, REP. 3 *G.4. c.41. s.1.*
1422. 1 *H.6. c.6.* Aliens, REP. 3 *G.4. c.41. s.1.*
1423. 2 *H.6. c.4.* Staple at *Calais*, REP. 3 *G.4. c.41. ss.1—5.*
 2 *H.6. c.5.* Staple at *Calais*, REP. 3 *G.4. c.41. s.5.*
 2 *H.6. c.6.* Export of gold and silver, REP. 59 *G.3. c.49. s.11.*
 3 *G.4. c.41. s.10.*
 2 *H.6. c.11.* Measures, REP. 3 *G.4. c.41. s.1.* 5 *G.4. c.74. s.23.*
1425. 3 *H.6. c.1.* Masons, REP. as to combinations of workmen, 6 *G.4. c.129. s.2.*, 5 *G.4. c.95. s.1.*
 3 *H.6. c.2.* Export of live sheep, REP. 3 *G.4. c.41. s.3.*
 3 *H.6. c.3.* Customs, REP. 6 *G.4. c.105.*
 3 *H.6. c.4.* Butter and cheese. Staple at *Calais*, REP. 3 *G.4. c.41. ss.3. 5.*
1427. 6 *H.6. c.2.* REP. as to panels in special assizes by 6 *G.4. c.50. s.62.*
 6 *H.6. c.6.* REP. 3 *G.4. c.41. s.5.*
1429. 8 *H.6. c.2.* Trade with *Denmark*, REP. 1 *H.8. c.1.*, 3 *G.4. c.41. s.10.*
 8 *H.6. c.5.* Weights and measures, REP. 5 *G.4. c.74. s.23.*
 8 *H.6. c.17.* Staples and mint at *Calais*, REP. 3 *G.4. c.41. s.5.*
 8 *H.6. c.18.* Staples and mint at *Calais*, REP. 3 *G.4. c.41. s.5.*
 8 *H.6. c.19.* Staples and mint at *Calais*, REP. 3 *G.4. c.41. s.1.*
 8 *H.6. c.20.* Staples and mint at *Calais*, REP. 3 *G.4. c.41. s.5.*
 8 *H.6. c.21.* Staples and mint at *Calais*, REP. 3 *G.4. c.41. s.5.*
 8 *H.6. c.23.* Export of thrums of woollen yarn, REP. 3 *G.4. c.41. s.3.*
 8 *H.6. c.24. s.1.* That tender to alien may be made in silver and not in gold, REP. 3 *G.4. c.41. s.1.*
 8 *H.6. c.29.* REP. as to juries *de medietate lingue* by 6 *G.4. c.50. s.62.*
- 1430-1. 9 *H.6. c.2.* Trade, REP. 3 *G.4. c.41. s.1.*
 9 *H.6. c.6.* Weights and measures in *Dorchester*, REP. 4 *G.4. c.74. s.23.*
 9 *H.6. c.8.* Weight of a wey of cheese, REP. 5 *G.4. c.74. s.23.*
1432. 10 *H.6. c.1.* Wool exports, staple at *Calais*, REP. 3 *G.4. c.41. s.5.*
 10 *H.6. c.7.* REP. 3 *G.4. c.41. s.5.*
1433. 11 *H.6. c.8.* Weights and measures, REP. 5 *G.4. c.74. s.23.*
 11 *H.6. c.13.* Staple at *Calais*, REP. 3 *G.4. c.41. s.5.*
 11 *H.6. c.14.* Export of staple merchandize, REP. 3 *G.4. c.41. s.5.*
1435. 14 *H.6. c.2.* Staple at *Calais*, REP. 3 *G.4. c.41. s.5.*
 14 *H.6. c.5.* Export of staple merchandize, REP. 3 *G.4. c.41. s.5.*
 14 *H.6. c.6.* Sale of fish and victuals by aliens, REP. 3 *G.4. c.41. s.1.*
 14 *H.6. c.7.* For returning merchandize found in enemies' ships though belonging to foreigners in amity, REP. 3 *G.4. c.41. s.1.*
- 1436-7. 15 *H.6. c.8.* Staple merchandize export, REP. 3 *G.4. c.41. s.5.*
1439. 18 *H.6. c.3.* Export of butter and cheese, REP. 3 *G.4. c.41. s.3.*
 18 *H.6. c.4.* Alien merchants, REP. 3 *G.4. c.41. s.1.*
 18 *H.6. c.8.* REP. as to ladin vessels of *Spain*, 3 *G.4. c.41. s.1.*
1439. 18 *H.6. c.15.* Wool export, REP. 3 *G.4. c.41. s.5.*
 18 *H.6. c.17.* REP. as to gauging wine, oil, and honey vessels,
 3 *G.4. c.41. s.1.*, 5 *G.4. c.74. s.23.*
- 1441-2. 20 *H.6. c.5.* That customs' officers shall not be concerned in merchandize, REP. 3 *G.4. c.41. s.1.*
 20 *H.6. c.12.* Wools at staple at *Calais*, REP. 3 *G.4. c.41. s.5.*
- 1444-5. 23 *H.6. c.2.* Export of thrums and threads of wool, REP. 3 *G.4. c.41. s.3.*
- 23 *H.6. c.9. s.1.* REP. as to return of jurors by under-sheriffs, &c.
 6 *G.4. c.50. s.62.*
 23 *H.6. c.15.* Gauger's duty and fee, REP. 3 *G.4. c.41. s.1.*
- 1446-7. 25 *H.6. c.3.* REP. 6 *G.4. c.105.*
 25 *H.6. c.10.* REP. 6 *G.4. c.105.*
- 1448-9. 27 *H.6. c.1.* Trade with *Brabant*, *Holland*, and *Zealand*, REP. 3 *G.4. c.41. s.1.*
 27 *H.6. c.2.* Staple at *Calais*, REP. 3 *G.4. c.41. s.5.*
 27 *H.6. c.3.* Gold and silver, export of, by alien merchants, REP. 3 *G.4. c.41. s.1.*
1449. 28 *H.6. c.1.* Trade to *Brabant*, &c. REP. 3 *G.4. c.41. s.1.*
- 1452-3. 31 *H.6. c.5.* Officers of customs, REP. 6 *G.4. c.105.*
1455. 33 *H.6. c.2. s.3.* REP. as to qualifications of jurors in *Lancashire*,
 6 *G.4. c.50. s.62.*
 33 *H.6. c.5.* Silk throwsters, REP. 3 *G.4. c.41. s.1.*
 35 *H.6. c.1.* REP. 6 *G.4. c.105.*
- 1463-4-5. 3 *Ed.4. c.1.* REP. as to export of wool, 3 *G.4. c.41. ss.1. 3. 5.*
 3 *Ed.4. c.3.* Import of silks, REP. 3 *G.4. c.41. s.1.*
 3 *Ed.4. c.4.* Import of certain ready-wrought articles, REP. 56 *G.3. c.36.*, 3 *G.4. c.41. s.10.*
- 1464-5. 4 *Ed.4. c.1.* Cloths, import, REP. 3 *G.4. c.41. s.1.*
 4 *Ed.4. c.2.* Wool export, REP. 3 *G.4. c.41. s.5.*
 4 *Ed.4. c.3.* Wools export, REP. 3 *G.4. c.41. s.5.*
 4 *Ed.4. c.5.* Importation, REP. 3 *G.4. c.41. s.1.*
 4 *Ed.4. c.6.* Alien merchants, REP. 3 *G.4. c.41. s.1.*
 7 *Ed.4. c.3.* Wools, REP. 3 *G.4. c.41. s.3.*
1468. 8 *Ed.4. c.3. s.1.* REP. as to jurors in *Middlesex*, by 6 *G.4. c.50. s.62.*
 Export of woollen yarn, and cloth unfulled, REP. 28 *G.3. c.38. s.1.*
- 1472-3. 12 *Ed.4. c.2.* Bowstaves import, REP. 3 *G.4. c.41. s.1.*
 12 *Ed.4. c.5.* Shipping wools, REP. 3 *G.4. c.41. s.5.*
- 1474-5. 14 *Ed.4. c.3.* Shipping wools, REP. 3 *G.4. c.41. s.5.*
- 1477-8. 17 *Ed.4. c.1.* REP. as to alien merchants employing their money in the realm, 3 *G.4. c.41. s.1.*, and as to exporting *English* or foreign coin, plate, jewels, &c. by *id.* s.3.
- 1482-3. 22 *Ed.4. c.2.* REP. as to packing barrelled fish, 5 *G.4. c.74. s.23.*
 22 *Ed.4. c.3.* Silks import, REP. 3 *G.4. c.41. s.1.*
- 1483-4. 1 *R.3. c.4.* Return of jurors, REP. 6 *G.4. c.50. s.62.*
 1 *R.3. c.9.* Merchants of *Italy*, REP. 3 *G.4. c.41. s.2.*
 1 *R.3. c.10.* Import of silks, laces, &c. REP. 3 *G.4. c.41. s.2.*
 1 *R.3. c.11.* Bowyers, REP. 3 *G.4. c.41. s.2.*
 1 *R.3. c.12.* Against strangers artificers, REP. 56 *G.3. c.36.*,
 3 *G.4. c.41. s.10.*
 1 *R.3. c.13.* Contents of vessels of *Malmsey* wine and oil, REP. 3 *G.4. c.41. s.2.*, 5 *G.4. c.74. s.23.*
- 1485-6. 1 *H.7. c.2.* Denizens, REP. 3 *G.4. c.41. s.2.*
 1 *H.7. c.3.* No protection before officers of staple at *Calais*, REP. 3 *G.4. c.41. s.6.*
 1 *H.7. c.8.* Wine import, *British* shipping, REP. 3 *G.4. c.41. s.2.*
 1 *H.7. c.9.* Silks import, REP. 3 *G.4. c.41. s.2.*
1487. 3 *H.7. c.7.* Customs, REP. 1 *H.8. c.5. s.2.*, 3 *G.4. c.41. s.10.*
 3 *H.7. c.8.* Carrying coin out of realm, REP. 3 *G.4. c.41. s.2.*
 4 *H.7. c.10.* Bringing wine into this realm in foreign bottoms, REP. 3 *G.4. c.41. s.2.*

1487. 3 *H.7. c.11.* Export of unwrought woollen cloths, REP. 3 *G.4. c.41. s.4.*
- 1488-9. 4 & 5 *H.7. c.10.* Against importing wines in foreign bottoms, REP. 1 *El. c.13.*, but reinforced 5 *El. c.5. s.11.*, and see navigation act, 12 *C.2. c.18.* REP. 3 *G.4. c.41. s.1.*
- 4 & 5 *H.7. c.23.* Export of coin, plate, vessel, or jewels, EXP. and REP. 59 *G.3. c.49. ss.11, 12.*, 3 *G.4. c.41. s.10.*
1491. 7 *H.7. c.4.* Weights and measures, REP. 5 *G.4. c.74. s.23.*
- 7 *H.7. c.8.* Customs on import of malmsey, REP. 3 *G.4. c.41. s.2.*
1495. 11 *H.7. c.4.* Weights and measures, REP. 5 *G.4. c.74. s.23.*
- 11 *H.7. c.13.* Export of horses and mares, REP. 3 *G.4. c.41. s.4.*
- 11 *H.7. c.14.* Customs, REP. 3 *G.4. c.41. s.2.*
- 11 *H.7. c.17.* s.3. as to certificate of hawk imported being a foreign hawk, REP. 3 *G.4. c.41. s.2.*
- 1496-7. 12 *H.7. c.5.* Weights and measures, REP. 5 *G.4. c.74. s.23.*
- 12 *H.7. c.6.* Merchants, REP. 3 *G.4. c.41. s.2.*
- 1503-4. 19 *H.7. c.13.* Repressing riots, REP. 6 *G.4. c.50. s.62.*
- 19 *H.7. c.21.* Silk women, REP. 3 *G.4. c.41. s.2.*
- 19 *H.7. c.23.* *Hanse* merchants, REP. 3 *G.4. c.41. s.2.*
- 1509-10. 1 *H.8. c.5.* Customs, REP. 3 *G.4. c.41. s.2.*
- 1 *H.8. c.8. s.4.* REP. as to qualification of jurors on inquests of office, by 6 *G.4. c.50. s.62.*
- 1511-12. 3 *H.8. c.2.* Making 1 *H.8. c.8.* perpetual, REP. 6 *G.4. c.50. s.62.*
- 3 *H.8. c.3. s.4.* Against export of long-bows by alien, REP. 3 *G.4. c.41. s.4.*
- 3 *H.8. c.7.* Export of unshorn cloths, REP. 3 *G.4. c.41. s.4.*
- 3 *H.8. c.12.* Against sheriffs for abuses, REP. 6 *G.4. c.50. s.62.*
- 3 *H.8. c.15.* Hats making, REP. 3 *G.4. c.41. s.10.*
1512. 4 *H.8. c.3.* REP. as to jurors in *London* by 6 *G.4. c.50. s.62.*
- 1513-14. 5 *H.8. c.3.* Export of cloths, REP. 50 *G.3. c.83. s.1.*, 3 *G.4. c.41. s.10.*
- 5 *H.8. c.5.* REP. as to juries in *London* by 6 *G.4. c.50. s.62.*
- 5 *H.8. c.6.* Exemptions of surgeons from juries, REP. 6 *G.4. c.50. s.62.*
- 5 *H.8. c.7.* Aliens buying leather, REP. 5 *El. c.8. s.44.*, 3 *G.4. c.41. s.10.*
1523. 14 & 15 *H.8. c.1. s.1.* Export of white woollens, REP. 3 *G.4. c.41. s.4.*
- 14 & 15 *H.8. c.3.* Worsteds, &c. at *Great Yarmouth*, s.12. REP. 3 *G.4. c.41. s.4.*
- 14 & 15 *H.8. c.4.* Customs, REP. 3 *G.4. c.41. s.2.*
1529. 21 *H.8. c.9.* Hats, &c. import prices, REP. 1 *J.1. c.25. s.37.*, 3 *G.4. c.41. s.10.*
- 21 *H.8. c.10.* Export of brass, latten, &c. REP. 3 *G.4. c.41. s.4.*
- 21 *H.8. c.14.* Dowlas and lochrams import, REP. 28 *H.8. c.4.*, 3 *G.4. c.41. s.10.*
- 1530-1. 22 *H.8. c.7.* Horses, export, REP. 3 *G.4. c.41. s.4.*
- 22 *H.8. c.8.* Customs, REP. 3 *G.4. c.41. s.2.*
- 22 *H.8. c.14. s.6.* REP. as to peremptory challenges in murder and felony, 6 *G.4. c.50. s.62.*
- 1531-2. 23 *H.8. c.4.* Brewers not to be coopers: measure of barrels, REP. 5 *G.4. c.74. s.23.*
- 23 *H.8. c.7.* Navigation, wines import, REP. 3 *G.4. c.41. s.2.*
- 1552-3. 24 *H.8. c.6.* Sale of wines and their assize, REP. 5 *G.4. c.74. s.23.*, and previously by 21 *J.1. c.28. s.11.*
- 1553-4. 25 *H.8. c.2. s.4.* Against export of victuals, REP. 3 *G.4. c.41. s.4.*
- 25 *H.8. c.9.* Braziers, ss.1, 2. REP. 3 *G.4. c.41. s.2.*
- 25 *H.8. c.15. ss.2, 3.* Foreign books binding and selling, REP. 3 *G.4. c.41. s.2.*
- 1534-5. 26 *H.8. c.16.* Making 14 & 15 *H.8. c.3. s.12.* perpetual, REP. 3 *G.4. c.41. s.4.*
- 1555-6. 27 *H.8. c.13.* Cloths export, REP. 50 *G.3. c.83.*, 3 *G.4. c.41. s.10.*
- 27 *H.8. c.14.* Custom of leather, REP. 3 *G.4. c.41. ss.2. 4.*
- 28 *H.8. c.22.* REP. 6 *G.4. c.105.*
1540. 32 *H.8. c.14.* Navy rates of freights, REP. 3 *G.4. c.41. s.2.*
- 1541-2. 33 *H.8. c.2.* Buying fish on sea, REP. 3 *G.4. c.41. s.2.*
- 33 *H.8. c.4.* Pewterers, REP. 3 *G.4. c.41. s.2.*
- 33 *H.8. c.7.* Export of brass, REP. 3 *G.4. c.41. s.4.*, 5 *G.4. c.113. s.49.*
- 33 *H.8. c.9.* Archery, REP. 3 *G.4. c.41. s.4.*
- 33 *H.8. c.16. s.2.* Against export of worsted yarn, REP. 3 *G.4. c.41. s.4.*
- 33 *H.8. c.19.* Shipping cloths, REP. 50 *G.3. c.83.*, 3 *G.4. c.41. s.10.*
- 33 *H.8. c.23. s.2.* REP. as to challenges for want of freehold by 6 *G.4. c.50. s.62.*
- 1542-3. 34 & 35 *H.8. c.4.* Bankrupts, REP. 5 *G.4. c.98. s.1.*, 6 *G.4. c.16. s.1.*
- 34 & 35 *H.8. c.26. ss.103. 107, 108.* REP. as to tales and qualifications of jurors in *Wa.* by 6 *G.4. c.50. s.62.*
- 1543-4. 35 *H.8. c.6.* Appearance of jurors at *nisi prius*, REP. by 6 *G.4. c.50. s.62.*
1545. 37 *H.8. c.15.* Regrating wools, REP. 3 *G.4. c.41. s.6.*
1547. 1 *Ed.6. c.5.* Export of horses, REP. 3 *G.4. c.41. s.4.*
- 1 *Ed.6. c.6.* Worsteds yarn in *Norfolk*, s.2. REP. 3 *G.4. c.41. s.4.*
- 1 *Ed.6. c.12. s.11.* REP. as to challenges for the hundred, by 6 *G.4. c.50. s.62.*
1548. 2 & 3 *Ed.6. c.15.* Victuallers and handicraftsmen, REP. 5 *G.4. c.95. s.1.*, 6 *G.4. c.129. s.2.*
- 2 & 3 *Ed.6. c.22.* Colouring customs in other men's names, REP. 3 *G.4. c.41. s.2.*
- 2 & 3 *Ed.6. c.26.* Export of white ashes, REP. 28 *G.3. c.16.*, 3 *G.4. c.41. s.10.*
- 2 & 3 *Ed.6. c.32.* REP. as to continuing 35 *H.8. c.6.* by 6 *G.4. c.50. s.62.*
- 2 & 3 *Ed.6. c.37.* Export of bell-metal, REP. 3 *G.4. c.41. s.4.*
1552. 5 & 6 *Ed.6. c.7.* Wool, REP. 3 *G.4. c.41. s.6.*
- 5 & 6 *Ed.6. c.15. s.5.* Shoes, &c. export, REP. 3 *G.4. c.41. s.4.*
- 5 & 6 *Ed.6. c.16.* Offices in customs, REP. 6 *G.4. c.105.*
- 5 & 6 *Ed.6. c.18.* Wine import, REP. 3 *G.4. c.41. s.2.*
1554. 1 *M. st.3. c.8. s.1.* Leather, REP. 3 *G.4. c.41. s.4.*
- 1 *M. st.2. c.11.* Hats and caps imported, REP. 1 *J.1. c.25. s.39.*, 3 *G.4. c.41. s.10.*
- 1 & 2 *P. & M. c.5.* REP. as to exporting victuals and wood, 3 *G.4. c.41. s.4.*
1557. 4 & 5 *P. & M. c.7.* Jury *de circumstantibus* where H.M. is party, REP. 6 *G.4. c.50. s.62.*
1558. 1 *El. c.10.* Leather, export, REP. 18 *El. c.9. s.1.*, 3 *G.4. c.41. s.10.*
- 1 *El. c.11. s.6.* For entry of imports in true owners' names, REP. 3 *G.4. c.41. s.2.* The whole stat. REP. 6 *G.4. c.105.*
- 1 *El. c.13.* Shipping in *English* bottoms, REP. 3 *G.4. c.41. s.2.*
1562. 5 *El. c.5. ss.6, 7.* Against buying herrings from strangers, REP. 3 *G.4. c.41. s.2.*
- s.8. Against coasting trade in strangers' ships, REP. 6 *G.4. c.105.*
- s.9. Limiting voyages of *English* hoys, REP. 3 *G.4. c.41. s.2.*
- s.10. For selling cod or lings by tale only, and not in barrels, REP. 3 *G.4. c.41. s.2.*
- 5 *El. c.7.* Foreign wares, REP. 59 *G.3. c.73.*, 3 *G.4. c.41. s.10.*
- 5 *El. c.15.* Prophecies, REP. 6 *G.4. c.50. s.62.*
- 5 *El. c.22.* Exports, sheep skins, &c. REP. 3 *G.4. c.41. s.4.*
- 5 *El. c.25.* Tales in *Wa.*, REP. 6 *G.4. c.50. s.62.*
1565. 8 *El. c.3.* Exporting live sheep, REP. 3 *G.4. c.41. s.4.*
- 8 *El. c.6.* Cloth-workers, and cloths export, REP. 3 *G.4. c.41. s.4.*

1570. 13 *El. c. 2. s. 7.* Import of popish relics, REP. 3 *G. 4. c. 41. s. 2.*
 13 *El. c. 4.* REP. as to liability of lands and goods of H. M.'s receivers, &c. to payment of their debts to the crown, REP. 6 *G. 4. c. 105.*
 13 *El. c. 7.* REP. 5 *G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.*
 13 *El. c. 11.* Navigation, fisheries, REP. 3 *G. 4. c. 41. s. 2.*
s. 5. REP. as to assize of herring barrels, 5 *G. 4. c. 74. s. 23.*
1572. 14 *El. c. 9.* Defendant to have a tales as well as plaintiff, REP. 6 *G. 4. c. 50. s. 62.*
 13 *El. c. 14.* Bow-staves import, REP. 3 *G. 4. c. 41. s. 2.*
 13 *El. c. 15.* No hoy or flat to cross the seas, REP. 3 *G. 4. c. 41. s. 2.*
1576. 18 *El. c. 9.* Export of leather, tallow, and raw hides, REP. 3 *G. 4. c. 41. s. 4.*
1581. 23 *El. c. 7.* Seamen, navigation, REP. 3 *G. 4. c. 41. s. 2.*
 23 *El. c. 8.* REP. as to barrel, kilderkin, or firkin of honey, by 5 *G. 4. c. 77. s. 23.*
1585. 27 *El. c. 3.* Explaining 13 *El. c. 4.* REP. as to liability of lands, &c. of H. M.'s receivers to payment of debts due to crown, 6 *G. 4. c. 105.*
 27 *El. c. 6.* Return of jurors, REP. 6 *G. 4. c. 50. s. 62.*
 27 *El. c. 7.* Levying issues lost by jurors, REP. 6 *G. 4. c. 50. s. 62.*
 27 *El. c. 15.* Staple, fish, and herrings, import, REP. 3 *G. 4. c. 41. s. 2.*
1593. 35 *El. c. 11.* Import of clapboard, export of wine casks, REP. 3 *G. 4. c. 41. s. 4.*
1597. 39 *El. c. 10.* Mariners, navigation, fishery, REP. 3 *G. 4. c. 41. s. 2.*
 39 *El. c. 19. s. 52.* REP. as to continuing 27 *El. c. 7., 6 G. 4. c. 50. s. 62.*
1601. 43 *El. c. 14.* Assize of fuel, REP. 5 *G. 4. c. 74. s. 25.*
1603. 1 *Ja. 1. c. 9.* Inordinate haunting and tippling in alehouses, *ss. 2, 3, 4, 6.,* REP. 3 *G. 4. c. 77. s. 9.*
 1 *Ja. 1. c. 15.* Bankrupt, REP. 5 *G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.*
 1 *Ja. 1. c. 18. s. 2.* Import of bad hops, REP. 3 *G. 4. c. 41. s. 2.*
 1 *Ja. 1. c. 22.* Tanners, cutting hides, &c. REP. 5 *G. 4. c. 57.* The whole was REP. by 48 *G. 3. c. 60.,* and shall remain so REP., 3 *G. 4. c. 41. s. 10.*
1605. 3 *Ja. 1. c. 5. s. 25.* Popish relics import, REP. 3 *G. 4. c. 41. s. 2.*
 3 *Ja. 1. c. 6.* Free trade to *Spain, Portugal, and France,* REP. 3 *G. 4. c. 41. s. 2.*
 3 *Ja. 1. c. 9. s. 2.* Export of black coney-skins unwrought, REP. 3 *G. 4. c. 41. s. 4.*
 3 *Ja. 1. c. 11.* Export of beer, REP. 3 *G. 4. c. 41. s. 4.*
1609. 7 *Ja. 1. c. 4.* Vagabonds, &c., REP. as to *ss. 2—4. 6. 9., 4 G. 4. c. 64. s. 1., 5 G. 4. c. 83. s. 1.*
 7 *Ja. 1. c. 10.* Alehouses, REP. 3 *G. 4. c. 77. s. 9.*
 7 *Ja. 1. c. 14.* REP. as to export of *English* horns unwrought, 6 *G. 4. c. 105.*
1623. 21 *Ja. 1. c. 7.* Drunkenness, *s. 4.* REP. 3 *G. 4. c. 77. s. 9.*
 21 *Ja. 1. c. 19.* Relief of creditors against bankrupt; corporal punishments, REP. 5 *G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.*
1625. 1 *C. 1. c. 4. s. 1.* Alehouses, REP. 3 *G. 4. c. 77. s. 9.*
1640. 16 *C. 1. c. 19.* Clerk of market, weights and measures, REP. 5 *G. 4. c. 74. s. 23.*
 16 *C. 1. c. 21. s. 2.* Import of saltpetre and gunpowder, REP. 3 *G. 4. c. 41. s. 2.*
1660. 12 *C. 2. c. 4. s. 11.* REP. as to export of gunpowder when the price exceeds 5*l.* per barrel, 59 *G. 3. c. 73., 3 G. 4. c. 41. s. 10.* All that remained unrepealed is REP. 6 *G. 4. c. 104.*
 12 *C. 2. c. 18.* For encouraging and increasing shipping and navigation, *ss. 3, 4. 8. 12. 14.,* REP. 3 *G. 4. c. 42. ss. 1—4.,* all the rest REP. 6 *G. 4. c. 105.*
 12 *C. 2. c. 19.* Frauds and concealments of customs and subsidies, REP. 6 *G. 4. c. 105.*
 12 *C. 2. c. 23.* Beer, ale, &c., REP. as to contents of barrel of beer and ale, by 5 *G. 4. c. 74. s. 23.*
1662. 13 & 14 *C. 2. c. 7.* Export of leather and cow-hides, REP. 6 *G. 4. c. 105.*
 13 & 14 *C. 2. c. 11.* Frauds and abuses in the customs, *s. 23.* is REP. by 6 *G. 3. c. 15. s. 1.,* timber import. *s. 6.* in part REP. 3 *G. 4. c. 42. s. 7.*
s. 23. REP. 3 *G. 4. c. 42. s. 6.,* the rest REP. 6 *G. 4. c. 105.*
 13 & 14 *C. 2. c. 12. ss. 16—18. 23.* Vagrant, *semb.* REP. 5 *G. 4. c. 83. s. 1.*
 13 & 14 *C. 2. c. 13.* Import of foreign lace, &c. REP. 6 *G. 4. c. 105.*
 13 & 14 *C. 2. c. 14.* Prosecutions for prize goods, REP. 6 *G. 4. c. 105.*
 13 & 14 *C. 2. c. 15.* Silk throwing trade, *s. 10.* REP. as to corporation of silk-throwsters making bye-laws by 6 *G. 4. c. 129. s. 2.*
 13 & 14 *C. 2. c. 19.* Foreign wool-cards, card or iron-wire, REP. 6 *G. 4. c. 105.*
 13 & 14 *C. 2. c. 24.* Declaratory concerning bankrupts, REP. 5 *G. 4. c. 93. s. 1., 6 G. 4. c. 16. s. 1.*
1663. 15 *C. 2. c. 7.* Tobacco trade, REP. 6 *G. 4. c. 105.*
1666. 18 *C. 2. c. 2.* Imports, REP. 6 *G. 4. c. 105.*
1667. 19 *C. 2. c. 4.* Relief and setting to work of poor prisoners, REP. as to *ss. 1—3. 5., 4 G. 4. c. 64. s. 1.*
1670. 22 *C. 2. c. 5. s. 5.* Stealing cloth from rack, H. M.'s stores, &c., REP. as to so much as takes away benefit of clergy, 2 *G. 4. c. 53.*
 22 *C. 2. c. 8.* Measures of corn and salt, REP. 5 *G. 4. c. 74. s. 23.*
 22 & 23 *C. 2. c. 5.* Excise, beer, ale, &c., REP. 5 *G. 4. c. 54. s. 18.*
 22 & 23 *C. 2. c. 12.* Measures of corn and salt, REP. 5 *G. 4. c. 74. s. 23.*
 22 & 23 *C. 2. c. 20.* Relief of prisoners for debt, REP. as to so much as relates to fines and amerciaments, &c., 3 *G. 4. c. 46. s. 1.,* REP. as to *ss. 10—13., 4 G. 4. c. 64. s. 1.*
 22 & 23 *C. 2. c. 22.* Fines to H. M., recovery of, REP. in part 3 *G. 4. c. 46. s. 1.*
 22 & 23 *C. 2. c. 26. ss. 10—14.* Plantation trade, REP. 6 *G. 4. c. 105. s. 11.* was before REP. 20 *G. 3. c. 10. s. 3.*
1672. 25 *C. 2. c. 7.* Encouragement, &c. of *Greenland, Eastland,* and plantation trades, *s. 2.* REP. 3 *G. 4. c. 45. s. 1.*
1679. 32 *C. 2. c. 2.* Against import of cattle from *Ireland,* REP. 6 *G. 4. c. 105.*
1685. 1 *J. 2. c. 8.* Import of gunpowder, arms, &c., REP. 6 *G. 4. c. 105.*
 1 *J. 2. c. 18.* Building ships in *England,* REP. 6 *G. 4. c. 105.*
1688. 1 *W. & M. st. 1. c. 24. s. 5.* REP. as to contents of barrel of beer and ale, 5 *G. 4. c. 77. s. 23.*
 1 *W. & M. stat. 1. c. 32.* Wool manufactures export, REP. 6 *G. 4. c. 105.*
1689. 1 *W. & M. st. 2. c. 2. s. 1.* REP. as to jurors in high treason by 6 *G. 4. c. 50. s. 62.*
1690. 2 *W. & M. c. 9.* Importation of thrown silk, REP. 6 *G. 4. c. 29.*
1692. 4 & 5 *W. & M. c. 13.* Foreign hair-buttons, import of, REP. 6 *G. 4. c. 105.*
 4 & 5 *W. & M. c. 15. ss. 14, 15.* Import without paying duties, REP. 6 *G. 4. c. 105.*
 4 & 5 *W. & M. c. 24. s. 4.* REP. as to continuing 22 & 23 *C. 2. c. 22.* by 3 *G. 4. c. 46. s. 1.*
ss. 15—22. REP. as to jurors, 6 *G. 4. c. 50. s. 62.*
1694. 5 & 6 *W. & M. c. 7. s. 18.* REP. as to measure and weight of salt, 5 *G. 4. c. 77. s. 23.*
1695. 6 & 7 *W. & M. c. 1. s. 5.* Oaths of commissioners of customs, REP. 6 *G. 4. c. 105.*
 6 & 7 *W. 3. c. 4.* REP. as to juries, 6 *G. 4. c. 50. s. 62.*
 6 & 7 *W. 3. c. 7. s. 3.* Nutmegs import; *s. 14.* Allowances to custom-house officers, REP. 6 *G. 4. c. 105.*
 6 & 7 *W. 3. c. 17. ss. 5, 7, 8. 13.* Export of gold and silver, REP. 59 *G. 3. c. 49. ss. 11, 12. 3 G. 4. c. 41. s. 10.*

1696. 7 & 8 W.3. c.19. ss.6—10. Export of coin, REP. 59 G.3. c.49. ss.11, 12., 3 G.4. c.41. s.10.
 7 & 8 W.3. c.20. s.8. Export of stocking-frames, REP. 6 G.4. c.105. s.9. EXP.
 7 & 8 W.3. c.22. ss.17—21. Plantation trade, REP. as to registering ships and vessels by 4 G.4. c.41. s.1.; the whole act REP. as to customs, by 6 G.4. c.105.
 7 & 8 W.3. c.28. s.6. Wool, export from *Ire.*, REP. 6 G.4. c.105.
 7 & 8 W.3. c.31. s.49. REP. as to measure and weight of salt, 5 G.4. c.77. s.23.
 7 & 8 W. & M. c.32. Juries, REP. 6 G.4. c.50. s.62.
 1698. 9 & 10 W.3. c.6. Retail of salt, REP. 5 G.4. c.77. s.23.
 9 & 10 W.3. c.13. Coals, REP. 6 G.4. c.105.
 9 & 10 W.3. c.23. REP. 6 G.4. c.105.
 9 & 10 W.3. c.28. Watches and silver manufactures export, REP. 6 G.4. c.105.
 9 & 10 W.3. c.40. REP. *comm. semb.* ss.3, 4. 11. as to buying, selling, loading, or removing wool within 15 miles of the sea in *Kent* and *Sussex*, REP. 6 G.4. c.105.
 1699. 10 & 11 W.3. c.10. Wool, REP. 6 G.4. c.105.
 10 & 11 W.3. c.21. Sweets, vinegar, &c., abuses in brewing, s.15. relating to contents of barrel of vinegar, vinegar beer, or liquor preparing for vinegar, REP. 5 G.4. c.77. s.23.
 10 & 11 W.3. c.22. s.2. REP. as to weight and measure of rock-salt, by 5 G.4. c.77. s.23.
 10 & 11 W.3. c.23. s.1. Privately stealing in any shop, warehouse, coach-house, or stable, REP. as to so much as takes away benefit of clergy, 4 G.4. c.53.
 10 & 11 W.3. c.24. s.12. Fish import in foreign bottoms, REP. 6 G.4. c.105.
 10 & 11 W.3. c.25. REP. 5 G.4. c.41. s.1. Again REP. as to fishing on coast of *Newfoundland*, 6 G.4. c.105.
 1700. 11 & 12 W.3. c.10. Foreign silks, import, use, &c. REP. 6 G.4. c.105.
 11 & 12 W.3. c.15. Measures for retailing ale and beer, REP. 5 G.4. c.74. s.23.
 11 & 12 W.3. c.19. Justices to build and repair gaols, REP. 4 G.4. c.64. s.1.
 1701. 1 A. st.1. c.21. s.28. REP. as to weight and measure of rock-salt by 5 G.4. c.74. s.23.
 1 A. st.1. c.12. Subsidy, land-tax, s.112. REP. 3 G.4. c.42. s.8.
 1 A. st.1. c.15. Water measure of fruit, REP. 5 G.4. c.74. s.23.
 1 A. st.1. c.21. s. REP. as to weight and measure of foreign salt and rock-salt, 5 G.4. c.74. s.23.
 1 A. st.2. c.13. ss.2, 3. Continuing 7 & 8 W.3. c.32. and for qualifications of jurors in *Yorkshire*, REP. 6 G.4. c.50. s.62.
 1 A. c.26. Masters of vessels carrying provisions within port of *London*, REP. 6 G.4. c.105.
 1703. 2 & 3 A. c.6. s.16. Vagrant, REP. 5 G.4. c.83. s.1.
 1704. 3 A. c.5. s.12. Rice, &c. import duty, REP. 6 G.4. c.105.
 3 & 4 A. c.8. *Irish* linen export, REP. 6 G.4. c.105.
 3 & 4 A. c.18. ss.3—6. Jurors, REP. 6 G.4. c.50. s.62.
 3 & 4 A. c.12. s.6. Whalebone, REP. 6 G.4. c.105.
 1705. 4 A. c.16. ss.6, 7, 8. Venire and view by jurors, REP. 6 G.4. c.50. s.62.
 1706. 5 & 6 A. c.23. s.5. Vagrant, REP. 5 G.4. c.83. s.1.
 5 & 6 A. c.27. s.17. REP. as to wine measures, 5 G.4. c.74. s.23.
 1707. 6 A. c.3. *E. I.* trade, REP. 6 G.4. c.105.
 6 A. c.17. *E. I. C.*, REP. 6 G.4. c.105.
 6 A. c.19. s.14. Silks import, REP. 6 G.4. c.105.
 6 A. c.33. *Cochineal* import, REP. 3 G.4. c.42. s.9.
 1707. 6 A. c.37. s.18. For discovery of deaths of persons pretended to be alive, to the prejudice of those who claim estates after their deaths, REP. 6 G.4. c.113. s.1.
 1708. 7 A. c.19. Conveyances by infants, REP. 6 G.4. c.74. s.1.
 7 A. c.21. s.11. REP. as to giving list of jury to party indicted for high treason, or misprision of treason, by 6 G.4. c.50. s.62.
 1709. 8 A. c.7. s.13. Importation of nutmegs, mace, &c. REP. 3 G.4. c.42. s.28. REP. as to nutmegs and raisins, *viz.* ss.7—12. wholly, and part of ss.14, 15. and 17. by 6 G.4. c.105.
 8 A. c.13. Customs, &c. s.16, 17. 23—26. REP. 6 G.4. c.105.
 8 A. c.19. Part of s.1. relating to import of books without the consent of the proprietor, REP. 6 G.4. c.105.
 1710. 9 A. c.6. REP. as to security on shipping coals for *Ire.*, *Man*, &c. (*viz.* s.6.) by 6 G.4. c.105., REP. as to coal measure, 5 G.4. c.74. s.23.
 9 A. c.11. Hides and skins, REP. in part, 6 G.4. c.105.
 9 A. c.15. Assize of billet, REP. 5 G.4. c.74. s.23.
 9 A. c.28. s.6. Coals, REP. 6 G.4. c.105.
 1711. 10 A. c.6. Assize of beech-wood fuel, REP. 5 G.4. c.74. s.23.
 10 A. c.14. ss.3—6. REP. as to jurors, by 6 G.4. c.50. s.62.
 10 A. c.15. Bankrupts, REP. 5 G.4. c.98. s.1., 6 G.4. c.16. s.1.
 10 A. c.19. REP. as to the import of chequered, striped, printed, painted, stained, and dyed linens, and marking such linens by the officers of the customs to denote payment of the duties, by 6 G.4. c.105.
 10 A. c.29. *E. I.* goods duties, REP. 6 G.4. c.105.
 1713. 12 A. st.1. c.16. ss.2, 3. Bounty on export of *British* sail-cloth, REP. 6 G.4. c.105.
 12 A. st.2. c.8. ss.11. 13. Tobacco trade, REP. 6 G.4. c.105.
 12 A. st.2. c.18. REP. as to the revenue of customs, 6 G.4. c.105.
 1714. 1 G.1. st.2. c.12. s.4. Plantation duties, REP. 6 G.4. c.105.
 1 G.1. st.2. c.18. ss.1, 2. Import of fish, &c. by foreigners, REP. 6 G.4. c.105.
 1716. 3 G.1. c.4. s.5. Imports from *Jersey*, &c. REP. 6 G.4. c.105.
 1717. 4 G.1. c.11. ss.1, 2, 3. Transportation, REP. 5 G.4. c.84. s.29.
 1718. 5 G.1. c.11. Running goods, REP. 6 G.4. c.105.
 5 G.1. c.27. Seducing artificers, REP. 5 G.4. c.97. s.1.
 1719. 6 G.1. c.11. ss.4, 5. Import and export of plate, REP. 6 G.4. c.105.
 6 G.1. c.12. ss.3, 4. Staving damaged wine, REP. 6 G.4. c.105.
 6 G.1. c.14. Raw silk, import from *Turkey*, REP. 3 G.4. c.42. s.10.
 6 G.1. c.15. Deals, &c. import from *Germany*, REP. 3 G.4. c.42. s.11.
 6 G.1. c.18. ss.18, 19, 20, 21. *South Sea* bubble act, REP. 6 G.4. c.19. s.1.
 s.12. REP. as to sole right of Royal Exchange, and *London* Assurance Company to effect marine insurances, and lend money on bottomry, 5 G.4. c.114. s.1.
 6 G.1. c.21. Customs, ss.29—32. 34. 39. REP. 6 G.4. c.105. ss.45, 46. Licences for import of nutmegs, &c., REP. 3 G.4. c.42. s.28.
 6 G.1. c.23. ss.2—7. Transportation, REP. 5 G.4. c.84. s.29.
 1720. 7 G.1. st.1. c.13. Regulating journeymen taylors in weekly bills, REP. 6 G.4. c.129. s.2.
 7 G.1. st.1. c.21. *East India* trade, ss.9, 10., REP. 6 G.4. c.105.
 7 G.1. st.1. c.31. Bankrupts, REP. 5 G.4. c.98. s.1., 6 G.4. c.16. s.1.
 1721. 8 G.1. c.15. ss.1—6. Silk manufactures export, REP. 6 G.4. c.105. s.24. Beaver skin trade, REP. *id.*
 8 G.1. c.17. Shipwrecked mariners, *Portugal*, REP. 6 G.4. c.87. s.16.

1721. 8 G.1. c.18. Running goods; boats, resisting officers, &c. ss.1—8. 18—20. 22. 25—27., REP. 6 G.4. c.105. s.21. REP. 3 G.4. c.42. s.28.
1722. 9 G.1. c.8. ss.1, 2. REP. as to exempting apothecaries from juries by 6 G.4. c.50. s.62.
9 G.1. c.21. s.8. Taking goods out of coasters when at sea, REP. 6 G.4. c.105.
9 G.1. c.22. Black act. s.1. REP. as to taking away benefit of clergy for certain offences, and for sending threatening letters, by 4 G.4. c.54. s.1.
1724. 11 G.1. c.30. ss.8. 18—21. 32. Run goods, REP. 6 G.4. c.105.
1725. 13 G.1. c.25. Import of cochineal, REP. 3 G.4. c.42. s.12.
12 G.1. c.28. Customs, ss.1—21. 27. REP. 6 G.4. c.105.
12 G.1. c.34. Woollen manufacture, combinations, ss.1—8. repealed in part by 6 G.4. c.129. s.2.
1726. 1 G.2. st.2. c.17. ss.7, 8. Wine imports. s.10. Silks export, REP. 6 G.4. c.105.
1729. 2 G.2. c.22. Debtors relief as to imprisonment, REP. as to ss.3—7., 4 G.4. c.64. s.1.
2 G.2. c.28. s.8. Defending customs, information *formâ pauperis*, REP. 6 G.4. c.105.
2 G.2. c.35. Preserving woods in *America*, REP. 6 G.4. c.105, (previously Exp.)
1730. 3 G.2. c.25. Juries, REP. 6 G.4. c.50. s.62.
1731. 4 G.2. c.7. Juries in *Middlesex*, REP. 6 G.4. c.50. s.62.
4 G.2. c.10. Idiots and lunatics, REP. 6 G.4. c.74. s.1.
4 G.2. c.30. s.2. Delivering coquets in four days after arrival, REP. 6 G.4. c.105.
1732. 5 G.2. c.22. s.1. Hats export, REP. 6 G.4. c.105.
5 G.2. c.24. s.3. REP. as to oath of planter of growth of coffee, REP. 6 G.4. c.105.
5 G.2. c.30. Bankrupts, REP. 5 G.4. c.98. s.1., 6 G.4. c.16. s.1.
1733. 6 G.2. c.7. Precious stones, import, REP. 3 G.4. c.42. s.13.
6 G.2. c.13. Trade of sugar colonies in *America*, REP. 6 G.4. c.105.
6 G.2. c.17. s.10. Officers of customs neglecting to seize vessels, &c. forfeited for running brandies, REP. 6 G.4. c.105.
6 G.2. c.37. ss.1, 2. Making 3 G.2. c.25. and 4 G.2. c.7. perpetual, and relating to special juries, REP. 6 G.4. c.50. s.62.
6 G.2. c.37. s.5. Breaking down banks of rivers, adjudged felony, REP. as to capital punishment, 4 G.4. c.46. s.1.
s.6. Cutting hopbinds, REP. 4 G.4. c.46. s.1.
1734. 7 G.2. c.18. Import of cochineal and indigo, REP. 3 G.4. c.42. s.12.
7 G.2. c.19. s.1. Hops foreign, import, REP. 6 G.4. c.105.
7 G.2. c.21. Robbery, for more effectual punishment of assaults to commit, REP. except as to offences committed before the passing of this act, 4 G.4. c.54. s.5.
1735. 8 G.2. c.12. s.2. REP. as to computation of distance in miles between the pits and refineries of rock salt by 5 G.4. c.74. s.23.
1736. 9 G.2. c.25. Relief of H. M.'s subjects wrecked in *Cadiz* and *St. Mary's* in *Spain*, REP. 6 G.4. c.87. s.16.
9 G.2. c.33. s.1. Penalties on importing fish, REP. 6 G.4. c.105.
9 G.2. c.35. Indemnifying offenders against customs and excise laws, REP. 6 G.4. c.105.
9 G.2. c.37. s.4. Vessels to have complete suit of sails, REP. 6 G.4. c.105.
1737. 10 G.2. c.14. Relief at *Leghorn* of wrecked mariners, H. M.'s subjects, REP. 6 G.4. c.87. s.16.
1741. 14 G.2. c.33. s.3. Vagrant, REP. 5 G.4. c.83. s.1.
14 G.2. c.36. Trade to *Persia* through *Russia*, REP. 5 G.4. c.42. s.14.
1742. 15 G.2. c.20. s.7. Gold and silver lace import, REP. 6 G.4. c.105.
1742. 15 G.2. c.31. ss.1—3. REP. as to proof that ship belongs to *British* subjects; as to liberty to trade when certificate of registry lost; as to registry of ship *de novo*, by 4 G.4. c.41. s.1.
ss.4. 8 REP. as to condition of plantation bonds, and as to taking out of warehouses *E. I.* goods to be refreshed, by 6 G.4. c.105.
1743. 16 G.2. c.15. Offenders found at large within *G. B.* after ordered for transportation, REP. 5 G.4. c.84. s.29.
16 G.2. c.31. Escapes of prisoners, assisting, REP. 4 G.4. c.64. s.1.
1744. 17 G.2. c.5. ss.30, 31. Houses of correction, REP. 4 G.4. c.64. s.1. ss.1. 6. 19. 21—24. 26. 28, 29. Vagrants, REP. 5 G.4. c.83. s.1.
1745. 18 G.2. c.24. s.2. Bounty on export of *British* or *Irish* linens, REP. 6 G.4. c.105.
18 G.2. c.26. s.10. Import of tea from *Europe*, REP. 6 G.4. c.105.
1746. 19 G.2. c.21. s.13. Swearing, REP. 4 G.4. c.31. s.2.
19 G.2. c.27. Sail cloth, ss.1—3. 5—13. REP. 6 G.4. c.105.
19 G.2. c.30. ss.3, 4. Delivering lists of men to officers of customs, REP. 6 G.4. c.105.
19 G.2. c.32. Bankrupts, REP. 5 G.4. c.98. s.1., 6 G.4. c.16. s.1.
19 G.2. c.34. Persons going armed or disguised in defence of customs, or excise laws, REP. 6 G.4. c.105.
1749. 22 G.2. c.27. s.12. As to extending 12 G.1. c.34., REP. 6 G.4. c.129. s.2.
22 G.2. c.36. Foreign embroidery, gold and silver thread, &c. import, REP. 6 G.4. c.105.
22 G.2. c.37. Coal, culm, and cinders export duty, REP. 6 G.4. c.105.
1750. 23 G.2. c.13. ss.1, 2. Artificers seducing, ss.1, 2. REP. 5 G.4. c.97. s.1.
ss.3—8. Export of utensils of silk manufactures, REP. 6 G.4. c.105.
23 G.2. c.21. ss.26, 27. 29. Candles, soap, or starch, shipment, REP. 6 G.4. c.105.
23 G.2. c.29. REP. as to exporting or carrying bar-iron coastwise, by 6 G.4. c.105.
23 G.2. c.34. Import of *Persian* raw silk from *Russia*, REP. 3 G.4. c.42. s.14.
1751. 24 G.2. c.18. ss.1—4. REP. as to special juries, venires, and challenges, by 6 G.4. c.50. s.62.
24 G.2. c.31. s.8. REP. as to weights of hemp or flax, 5 G.4. c.74. s.23.
24 G.2. c.45. REP. as to so much as takes away benefit of clergy, on robberies on any navigable river, &c. wharf or quay, to amount of 40s. 4 G.4. c.55.
24 G.2. c.51. Pearl-ashes, REP. 6 G.4. c.105.
24 G.2. c.57. Bankrupt, REP. 5 G.4. c.98. s.1., 6 G.4. c.16. s.1.
1752. 25 G.2. c.32. Gum senega import, apprentices, and indentures duties, s.1., REP. 3 G.4. c.42. s.15.
25 G.2. c.36. s.12. Vagrant, REP. 5 G.4. c.83. s.1.
1753. 26 G.2. c.18. *Levant* seas, regulating trade into, REP. 6 G.4. c.33. s.3.
26 G.2. c.19. REP. as far as relates to the revenue of customs, by 6 G.4. c.105.
26 G.2. c.21. Silk manufacture, REP. 6 G.4. c.105.
26 G.2. c.31. s.7. Alehouses, REP. 3 G.4. c.77. s.9.
26 G.2. c.33. Marriages clandestine, preventing, s.11. REP. 3 G.4. c.75. s.1.; s.8—26. REP. by 4 G.4. c.17.; REP. *in toto*, 4 G.4. c.76. s.1.
1754. 27 G.2. c.9. Mutiny act for *E. I. C.*'s troops, REP. 4 G.4. c.18. s.74., except as in s.71.
27 G.2. c.15. Threatening letters, REP. 4 G.4. c.54. s.3.

1754. 27 G.2. c.19. s.49. Relating to *Great Bedford Level*, persons breaking down any bank, mill, engine, &c. guilty of felony, REP. as to capital punishment, 4 G.4. c.46. s.1.
1755. 28 G.2. c.21. Spirits import, tea import in ships not employed by the *E. I. C.*, REP. 6 G.4. c.105.
1756. 29 G.2. c.15. REP. 6 G.4. c.105.
 29 G.2. c.16. To prohibit exportation of gunpowder, arms, &c. REP. 6 G.4. c.105.
 29 G.2. c.19. Fines on jurors in cities, REP. 6 G.4. c.50. s.62.
 29 G.2. c.33. ss.1, 2. As to making rates for payment of wages, REP. 6 G.4. c.129. s.2.
1757. 30 G.2. c.24. s.1. False pretences, threatening letters, REP. 4 G.4. c.54. s.3.
 ss.14, 15. GAMES, &c. REP. 3 G.4. c.77. s.9.
1759. 32 G.2. c.32. Fraudulent import of cambrics and *French lawns*, REP. 6 G.4. c.105.
1760. 33 G.2. c.28. REP. as to export of rum, and penalties for retailing same, 6 G.4. c.105.
 1 G.3. c.14. Mutiny act for forces of *E. I. C.*, REP. 4 G.4. c.81. s.74.
1761. 2 G.5. c.24. Salt import from *Europe* into *Nova Scotia*, in *America*, REP. 6 G.4. c.105.
1762. 3 G.3. c.16. s.6. Personating *Greenwich* pensioner, REP. as to capital punishment, 4 G.4. c.46. s.1.
 3 G.3. c.21. Silk manufacturers, REP. 6 G.4. c.105.
 3 G.3. c.22. Customs, revenue and officers, running goods, REP. 6 G.4. c.105.
1763. 4 G.3. c.16. Conveyances by infants in counties palatine and *Wales*, REP. 6 G.4. c.74. s.1.
 4 G.3. c.19. Salt import from *Europe* into *Canada*, REP. 6 G.4. c.105.
 4 G.3. c.33. Members of Parliament bankrupts, REP. 5 G.4. c.98. s.1, 6 G.4. c.16. s.1.
 4 G.3. c.37. s.16. REP. as to felonies in stealing, damaging, &c. manufacturers' implements or machinery, 4 G.4. c.46. s.2.
1765. 5 G.3. c.1. Salt beef, pork, &c. import from *Ire.*, REP. 6 G.4. c.105.
 5 G.3. c.10. Import of cattle from *Ire.*, REP. 6 G.4. c.105.
 5 G.3. c.30. Exports to *Africa*, imports and exports generally, ss.1, 2. REP. 3 G.4. c.42. s.27.; ss.4, 5, 7., REP. as to import and warehousing of bugles, by 6 G.4. c.105.
 5 G.3. c.37. Gums *Senegal* and *Arabic*, REP. 6 G.4. c.105.
 5 G.3. c.39. *Isle of Man* trade, REP. 6 G.4. c.105.
 5 G.3. c.43. Customs, *Isles of Man* and *Ferro*, spirits, coffee, import, &c., ss.1. 3—6. 11—13. 27, 28. 31. 38, 39. REP. 6 G.4. c.105.
 5 G.3. c.45. Trade of *H. M.'s American* dominions, duties, &c., and fees of officers of customs there; s.24. is REP. by 6 G.3. c.52. s.29. molasses, growth of, bond, s.13., coffee, warehousing [EXP.] REP. 6 G.4. c.105.
 5 G.3. c.48. Import of foreign silk stockings and gloves, prohibited, silk manufactures, REP. 6 G.4. c.105.
1766. 6 G.3. c.19. Leather gloves and mitts, manufacture and import, REP. 6 G.4. c.105.
 6 G.3. c.28. *semb.* ss.1—14. Foreign silks and velvets, import, REP. 6 G.4. c.105.
 6 G.3. c.37. s.18. Slave trade, REP. 5 G.4. c.113. s.1.
 6 G.3. c.40. ss.9—11. Export of coals from *Newcastle* and *Swansea*, REP. 6 G.4. c.105.
 6 G.3. c.50. Exports, REP. 6 G.4. c.105.
 6 G.3. c.52. Export duties, trade, s.20., REP. 3 G.4. c.42. s.16.
1767. 7 G.3. c.2. Exports, REP. 6 G.4. c.105.
 7 G.3. c.41. Commissioners of customs resident in *America*, REP. 6 G.4. c.105.
 7 G.3. c.43. Fraudulent import, and wearing cambrics and
1767. *French lawns*, s.2. REP. in part, 3 G.4. c.42. s.17., REP. in toto, 6 G.4. c.105.
 7 G.3. c.45. Trade, fisheries, &c. of *Isle of Man*, REP. in toto, 6 G.4. c.105.
 7 G.3. c.46. Duties in *American* colonies, REP. in toto, 6 G.4. c.105.
 7 G.3. c.47. Duties on exports and imports, REP. 6 G.4. c.105.
1768. 8 G.3. c.15. Transportation, REP. 5 G.4. c.84. s.29.
 8 G.3. c.17. Taylors in bills of mortality, REP. 6 G.4. c.129. s.1.
 8 G.3. c.22. Plantation trade, REP. 6 G.4. c.105.
 8 G.3. c.25. s.10. Import of foreign silks, cambrics, &c., REP. 6 G.4. c.105.
1769. 9 G.3. c.28. Exports from *Jersey* and *Guernsey*, REP. 6 G.4. c.105.
 9 G.3. c.35. ss.2, 3. REP. as to export of naval stores, by 6 G.4. c.105.
 9 G.3. c.39. s.10. Foreign hides import, REP. 6 G.4. c.105.
 9 G.3. c.41. ss.1—6. Removal of goods from out ports to *London*, customs officers' fees at *Senegambia*, REP. 6 G.4. c.105.
1770. 10 G.3. c.2. Provisions import, REP. 6 G.4. c.105.
 10 G.3. c.37. Fees of officers of customs, and of naval officers in *Newfoundland*, REP. 6 G.4. c.105.
 10 G.3. c.38. *British* and *Irish* linens export bounty, REP. 6 G.4. c.105.
 10 G.3. c.43. Hats, bonnets, &c., REP. 6 G.4. c.105.
 10 G.3. c.45. Horned cattle, REP. 6 G.4. c.105.
1771. 11 G.3. c.41. Naval stores import, raw silk and mohair yarn import, REP. 6 G.4. c.105.
1772. 12 G.3. c.58. Herring fishery, REP. 6 G.4. c.105.
1773. 13 G.3. c.51. ss.1, 2. Suits in courts at *Westminster* on causes of action arising within *Wales*, REP. 5 G.4. c.106. ss.19, 20. ss.6, 7, 8. REP. as to special juries by 6 G.4. c.50. s.62.
 13 G.3. s.58. Clergymen in gaols in *Eng.*, REP. 4 G.4. c.64 s.1.
 13 G.3. c.68. Silk manufacturers' wages, REP. 6 G.4. c.129. s.2 5 G.4. c.66. tit. SILK, &c.
 13 G.3. c.84. Turnpike roads, REP. 3 G.4. c.126. s.1.
1774. 14 G.3. c.14. Turnpike roads, REP. 3 G.4. c.126. s.1.
 14 G.3. c.35. REP. as to s.2. 4 G.4. c.64. s.1.
 14 G.3. c.36. Turnpike roads, REP. 3 G.4. c.126. s.1.
 14 G.3. c.42. Light silver coin of the realm import, REP. 6 G.4. c.105.
 14 G.3. c.57. Turnpike roads, REP. 3 G.4. c.126. s.1.
 14 G.3. c.59. Gaols, REP. 4 G.4. c.64. s.1.
 14 G.3. c.71. Export of utensils in cotton, linen, woollen, and silk manufactures, REP. 6 G.4. c.105.
 14 G.3. c.82. Turnpike roads, REP. 3 G.4. c.126. s.1.
1775. 15 G.3. c.31. *Newfoundland* and southern whale fishery, REP. 5 G.4. c.51. s.1., and so much as remains unrepealed and relates to revenue of customs, REP. 6 G.4. c.105.
 15 G.3. c.35. Raw goat-skins import, made perpetual 31 G.3. c.43. s.7., REP. 3 G.4. c.42. s.18.
1776. 16 G.3. c.39. Turnpike roads, REP. 3 G.4. c.126. s.1.
 16 G.3. c.44. Turnpike roads, REP. 3 G.4. c.126. s.1.
 16 G.3. c.47. s.3. Fees to officers of customs in *Newfoundland*, REP. 6 G.4. c.105.
 16 G.3. c.48. Limitation of prosecution on bonds relating to revenue of customs, REP. 6 G.4. c.105.
1777. 17 G.3. c.16. Turnpike roads, REP. 3 G.4. c.126. s.1.
 17 G.3. c.41. Clandestine unshipping from and receiving goods at sea on board *E. I. C.'s* vessels, manner of discharging export bonds, REP. 6 G.4. c.105.
 17 G.3. c.43. Abatement of duties on importers of damaged currants, &c. REP. 6 G.4. c.105.

1777. 17 G. 3. c. 55. Hat manufactory regulating, REP. 6 G. 4. c. 129. s. 2.
1778. 18 G. 3. c. 27. Wines and vinegar import duties, REP. 6 G. 4. c. 105.
- 18 G. 3. c. 28. Turnpike tolls, double, payment of, REP. 3 G. 4. c. 126. s. 1.
- 18 G. 3. c. 55. Exports, REP. 6 G. 4. c. 105.
- 18 G. 3. c. 58. Sugar, &c. clandestine conveyance from *British American colonies* into *G. B.*, REP. 6 G. 4. c. 105.
- 18 G. 3. c. 63. Trustees of turnpike acts, REP. 3 G. 4. c. 126. s. 1.
1779. 19 G. 3. c. 22. Entries of goods imported, export of spirits, REP. 6 G. 4. c. 105.
- 19 G. 3. c. 48. Discharging vessels in port of *London*, ss. 1, 2. REP. 3 G. 4. c. 42. ss. 19, 20. REP. *in toto*, 6 G. 4. c. 105.
- 19 G. 3. c. 62. Lime and articles for improving land, removal of without cocquet or bond, REP. 6 G. 4. c. 105.
- 19 G. 3. c. 69. Smuggling, REP. 6 G. 4. c. 105.
1780. 20 G. 3. c. 7. Sugar import from *America*, REP. 6 G. 4. c. 105.
- 20 G. 3. c. 10. Trade between *Ire.* and *British colonies*, REP. 6 G. 4. c. 105.
- 20 G. 3. c. 18. Imports and exports from *Levant (Ire.)* in part REP. 3 G. 4. c. 45. s. 1.,—ss. 3, 4. REP. 6 G. 4. c. 33. s. 3.
- 20 G. 3. c. 42. *Isle of Man* imports, additional duties, REP. 6 G. 4. c. 105.
1781. 21 G. 3. c. 16. Abatements on foreign goods, repealing tobacco and sugar imported duty, REP. 6 G. 4. c. 105.
- 21 G. 3. c. 20. Turnpike roads, REP. 3 G. 4. c. 126. s. 1.
- 21 G. 3. c. 28. Bugles warehoused, rum imported from *Scot.* into *Man*, REP. 6 G. 4. c. 105.
- 21 G. 3. c. 37. Utensils in woollen, cotton, linen, or silk manufactures export, REP. 6 G. 4. c. 105.
- 21 G. 3. c. 39. Securing owners' property in vessels liable to forfeiture for importing spirits, &c. by misconduct of seamen, REP. 6 G. 4. c. 105.
- 21 G. 3. c. 62. Imports, REP. 6 G. 4. c. 105.
1782. 22 G. 3. c. 40. Destroying woollen, silk, linen, or cotton goods, or implements prepared for manufacture thereof, REP. except so much as repeals former acts, 4 G. 4. c. 46. s. 2.
- 22 G. 3. c. 60. Seducing artificers employed in printing or making blocks, &c. for printing calicoes, &c., export of such blocks, &c. prohibited, ss. 1, 2., REP. 5 G. 4. c. 97. s. 1., REP. *in toto*, 6 G. 4. c. 105.
- 22 G. 3. c. 64. Amending laws relating to houses of correction, REP. 4 G. 4. c. 64. s. 1.
- 22 G. 3. c. 78. Imports from *Europe*, REP. except s. 2. by 3 G. 4. c. 42. s. 21.
- s. 2. Import of silk, REP. 6 G. 4. c. 105.
1783. 23 G. 3. c. 11. s. 3. Currants import, REP. 6 G. 4. c. 105.
- 23 G. 3. c. 76. Landing and removing wines in *G. B.*, and relanding refined sugar entered for export to obtain drawback or bounty, REP. 6 G. 4. c. 105.
- 23 G. 3. c. 79. REP. as to revenue of customs, 6 G. 4. c. 105.
- 23 G. 3. c. 88. Vagrants, REP. 5 G. 4. c. 83. s. 1.
1784. 24 G. 3. c. 31. House-tax, REP. in part by 25 G. 3. c. 47. Carriages duty, 43 G. 3. c. 161. s. 84.
- 24 G. 3. sess. 2. c. 21. Preservation of hat manufactory, *British skins*, &c. REP. 6 G. 4. c. 105.
- 24 G. 3. sess. 2. c. 47. Smuggling preventing, protecting custom officers from vexatious actions, REP. 6 G. 4. c. 105.
- 24 G. 3. sess. 2. c. 50. s. 3. Removal of wine, REP. 6 G. 4. c. 105.
- 24 G. 3. sess. 2. c. 55. Houses of correction, inspecting building, REP. 4 G. 4. c. 64. s. 1.
1785. 25 G. 3. c. 51. Post-horse duties, ss. 4—44. as relates to duties on horses travelling post and by time, REP. 4 G. 4. c. 62. s. 1.
1785. 25 G. 3. c. 54. Coals, culm, and cinders entered coastwise, duties, REP. 6 G. 4. c. 105.
- 25 G. 3. c. 55. REP. as to import of leather cut into form of gloves or mitts, by 6 G. 4. c. 105.
- 25 G. 3. c. 56. s. 8. Ships arriving with foreign-made cordage on board, REP. 6 G. 4. c. 105.
- 25 G. 3. c. 57. Turnpike tolls, REP. 3 G. 4. c. 126. s. 1.
- 25 G. 3. c. 67. Tools in iron and steel manufactures, export prohibited, seducing artificers therein prevented, ss. 6, 7. REP. 5 G. 4. c. 97. s. 1. REP. *in toto*, 6 G. 4. c. 105.
1786. 26 G. 3. c. 26. *Newfoundland* fishery. So much as relates to wages of green-men, using seans or nets, seamen or fishermen neglecting duty or deserting, REP. 5 G. 4. c. 51. s. 1. REP. as to revenue of customs, 6 G. 4. c. 105. s. 175.
- 26 G. 3. c. 36. ss. 2—4. *Isle of Man*, sugar, REP. 6 G. 4. c. 105.
- 26 G. 3. c. 40. Production of manifests, fraud in obtaining bounties and drawbacks, clandestine relanding goods, REP. 6 G. 4. c. 105.
- 26 G. 3. c. 41. *Greenland* fisheries, REP. 6 G. 4. c. 105.
- 26 G. 3. c. 59. s. 4. Wines imported, REP. 6 G. 4. c. 105.
- 26 G. 3. c. 60. Shipping and navigation, REP. 4 G. 4. c. 41. s. 1.
- 26 G. 3. c. 89. Export of tools used in manufactures, REP. 6 G. 4. c. 105.
- 26 G. 3. c. 104. Allowing drawback on coals used in smelting copper and lead ores, and on fire engines for draining mines in *Anglesea*, REP. 6 G. 4. c. 105.
1787. 27 G. 3. c. 2. Criminal court of judicature in *New South Wales*, to cease when the supreme courts of *New South Wales* and *Van Dieman's Land* have assumed the exercise of their jurisdiction, 4 G. 4. c. 96. s. 18.
- 27 G. 3. c. 13. REP. as to import or export, collecting or securing customs duties, allowance of drawbacks on imports or exports, by 6 G. 4. c. 105.
- 27 G. 3. c. 19. ss. 1—9. 15. REP. as to registering ships or vessels, 4 G. 4. c. 41. s. 1.
- ss. 10, 11. Shipping and navigation, REP. 3 G. 4. c. 42. ss. 22, 25.
- 27 G. 3. c. 26. Farming post-horse duties, REP. 4 G. 4. c. 62. s. 1.
- 27 G. 3. c. 32. Vessels of certain built forfeiture, customs' duties, REP. 6 G. 4. c. 105.
1788. 28 G. 3. c. 6. Trade between *West Indies* and *United States*, REP. 3 G. 4. c. 44. s. 1.
- 28 G. 3. c. 24. Transportation of offenders, ss. 4, 5. REP. 5 G. 4. c. 84. s. 29.
- 28 G. 3. c. 34. Customs, quarantine, ss. 13, 14. REP. as to masters of ships retaining certificates of registry, and as to registering ships *de novo*, by 4 G. 4. c. 41. s. 1. The rest REP. 6 G. 4. c. 105.
- 28 G. 3. c. 38. Wool, woollens, &c. export, REP. 6 G. 4. c. 105.
- 28 G. 3. c. 39. Spirits import from *West Indies* into *Canada*, REP. 3 G. 4. c. 44. s. 1.
- 28 G. 3. c. 55. s. 4. REP. as to felonies created in stealing, damaging, or destroying manufacturers' implements or machinery, by 4 G. 4. c. 46. s. 2.
1789. 29 G. 3. c. 16. Import of provisions from *United States* into *H. M.'s North American possessions*, REP. 3 G. 4. c. 44. s. 1.
- 29 G. 3. c. 53. s. 2. *Greenland* whale fisheries, REP. 6 G. 4. c. 105., and so much thereof as relates to privilege of landing and drying fish in *Newfoundland*, s. 1. REP. 5 G. 4. c. 51. s. 1., further REP. 6 G. 4. c. 105. s. 186.
- 29 G. 3. c. 56. Trade of *West Indies* and *H. M.'s North American colonies* with *United States*, REP. 3 G. 4. c. 44. s. 1.
- 29 G. 3. c. 67. Laws respecting gaols, REP. 4 G. 4. c. 64. s. 1.
- 29 G. 3. c. 68. REP. as to import and export of tobacco and snuff, by 6 G. 4. c. 105.
1790. 30 G. 3. c. 8. Trade of *West Indies* with *United States*, &c., import of spirits into *Canada* from, REP. 3 G. 4. c. 44. s. 1.

1790. 30 G. 3. c. 29. *West Indies* and *Canadas* imports and exports, REP. 6 G. 4. c. 105.
 30 G. 3. c. 40. s. 4. Tobacco and snuff, REP. 3 G. 4. c. 42. s. 24.
 30 G. 3. c. 43. Commissioners of customs defraying the charges on seizures out of H. M.'s share of seizures in general, REP. 6 G. 4. c. 105.
1791. 31 G. 3. c. 7. Customs, &c. REP. 6 G. 4. c. 105.
 31 G. 3. c. 38. Trade of *West Indies* and *United States*, REP. 3 G. 4. c. 44. s. 1.
 31 G. 3. c. 46. Regulating gaols, REP. except s. 7. 4 G. 4. c. 64. s. 1.
 s. 7. Transportation, REP. 5 G. 4. c. 84. s. 29.
1792. 32 G. 3. c. 22. *Greenland* whale fishery, REP. 6 G. 4. c. 105.
 32 G. 3. c. 32. Conveyance of horses, sheep, and lambs between *Cowes*, *Southampton*, and *Portsmouth*, REP. 6 G. 4. c. 105.
 32 G. 3. c. 43. Sugar and coffee export, REP. 6 G. 4. c. 105.
 32 G. 3. c. 44. Wages of manufacturers of silk mixed with other materials, REP. 5 G. 4. c. 66., and in part by 6 G. 4. c. 129. s. 2.
 32 G. 3. c. 45. Vagrants, REP. 5 G. 4. c. 83. s. 1.
 32 G. 3. c. 50. Coast trade of *G. B.*, REP. 6 G. 4. c. 105.
1793. 33 G. 3. c. 2. Naval stores export restrained, REP. 6 G. 4. c. 105.
 33 G. 3. c. 48. Drawback of customs and excise duties on wines used by naval officers on board ships in actual service, and supplying such ships with tobacco duty free, REP. 6 G. 4. c. 105.
 33 G. 3. c. 50. *West Indies* and *Nova Scotia* imports, REP. 3 G. 4. c. 44. s. 1.
 33 G. 3. c. 56. *Bahama* sugar, &c. export, [EXP.] REP. 6 G. 4. c. 105.
 33 G. 3. c. 70. Duties on imports, allowances thereof on damaged goods, vessels liable to be broken up may be sold by commissioners of customs for privateers, REP. 6 G. 4. c. 105.
 33 G. 3. c. 81. REP. 6 G. 4. c. 105.
1794. 34 G. 3. c. 20. REP. as to custom-house mark on foreign paper, 6 G. 4. c. 105.
 34 G. 3. c. 34. Indemnity carrying coastwise, and export of pot and pearl-ashes, [EXP.] REP. 6 G. 4. c. 105.
 34 G. 3. c. 42. Foreign ships, REP. 6 G. 4. c. 105.
 34 G. 3. c. 50. Import of cambrics and *French* lawns, smuggling, fraudulent relanding tobacco, REP. 6 G. 4. c. 105.
 34 G. 3. c. 51. Slate-stone and marble, customs on, REP. 6 G. 4. c. 105.
 34 G. 3. c. 59. Public accounts, &c. REP. 6 G. 4. c. 105.
 34 G. 3. c. 68. *British* mariner act, registry of ships, and detaining ships' certificate of registry, REP. by 4 G. 4. c. 41. s. 1.; further REP. as to customs, by 6 G. 4. c. 105.
1795. 35 G. 3. c. 31. s. 1. Boats, REP. 6 G. 4. c. 105.
 35 G. 3. c. 39. Allowing drawback on duties on coals used in works in *Pembroke*, REP. 6 G. 4. c. 105.
 35 G. 3. c. 92. Southern whale fishery, REP. 6 G. 4. c. 105.
 35 G. 3. c. 96. REP. as to persons detained in gaol for assaulting or obstructing customs officers, by 6 G. 4. c. 105.
 35 G. 3. c. 117. Import of rape-seed and other seeds used for extracting oil, REP. in part 3 G. 4. c. 42. s. 25.
1796. 36 G. 3. c. 82. Landing goods, REP. 6 G. 4. c. 105.
 36 G. 3. c. 90. Relief of persons equitably and beneficially entitled to stock, viz., where trustees are absent, bankrupts, &c., REP. s. 1. in part, and s. 2. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1. 6 G. 4. c. 74. s. 1.
 36 G. 3. c. 110. Lime and manure permitting carrying coastwise without sufferance, REP. 6 G. 4. c. 105.
 36 G. 3. c. 111. Paper, REP. 6 G. 4. c. 129. s. 2.
1769. 36 G. 3. c. 113. Arrow-root, linseed, and rape cakes import, s. 2. REP. 3 G. 4. c. 42. s. 26.
1797. 37 G. 3. c. 73. Apprentices on board merchant ships trading to H. M.'s colonies in *West Indies*, s. 4. as to having apprentices on board, REP. 4 G. 4. c. 25. s. 1.; s. 5. Lists of seamen, REP. 6 G. 4. c. 105.
 37 G. 3. c. 124. Frauds by bankrupts, REP. 5 G. 4. c. 98. s. 1. 6 G. 4. c. 16. s. 1.
 37 G. 3. c. 142. Administration of justice in *Calcutta*, *Madras*, and *Bombay*, preventing loans by *British* subjects to native princes, s. 3. in part REP. 4 G. 4. c. 71. s. 14.
1798. 38 G. 3. c. 33. Packages of imported glass to be marked glass, copper, &c., removal, smuggling, quarantine, REP. 6 G. 4. c. 105.
 38 G. 3. c. 57. Southern whale fishery, ss. 5, 6. REP. as to limits of southern whale fishery, 4 G. 4. c. 80. s. 12. REP. in toto 6 G. 4. c. 105.
 38 G. 3. c. 67. Base coin, preventing export to *West Indies* and *America*, REP. 6 G. 4. c. 105.
 38 G. 3. c. 86. Customs' offices, abolishing and regulating, applying fees received from vacant offices to augment superannuation funds, s. 9. REP. 6 G. 4. c. 105.
 38 G. 3. c. 89. s. 4. REP. as to weight of bushel of salt, 5 G. 4. c. 74. s. 8.
1799. 39 G. 3. c. 56. Collieries in *Scot.* ss. 2—4. REP. as to fixing wages by 6 G. 4. c. 129. s. 2., and s. 8. enticing workmen, artificers, &c., REP. 5 G. 4. c. 79. s. 1.
 39 G. 3. c. 110. s. 1. REP. as to salary of master of rolls by 6 G. 4. c. 84. s. 1.
1800. 39 & 40 G. 3. c. 51. Whale fishery, REP. 6 G. 4. c. 105. Blubber boiled into oil, Burr, paving, and road-mending stones, exempted from duty when sent coastwise, REP. 5 G. 4. c. 96. s. 1., 6 G. 4. c. 105.
 39 & 40 G. 3. c. 53. REP., except so far as it repeals other acts, 5 G. 4. c. 57.
 39 & 40 G. 3. c. 59. *E. I.* goods, duties on, REP. 6 G. 4. c. 105.
 39 & 40 G. 3. c. 66. Hides and skins, REP. 5 G. 4. c. 57.
 39 & 40 G. 3. c. 79. Government and administration of justice in *British India*, s. 8. REP. 4 G. 4. c. 71. s. 14.
 39 & 40 G. 3. c. 83. *French* wines imports from *Guernsey*, *Jersey*, or *Alderney* in bottles, REP. 6 G. 4. c. 105.
 39 & 40 G. 3. c. 106. Combinations, REP. 5 G. 4. c. 96., 6 G. 4. c. 129. s. 2.
1801. 41 G. 3. (*G. B.*) c. 2. Export of provisions, prohibiting by order in council, REP. 6 G. 4. c. 105.
 41 G. 3. (*U. K.*) c. 21. Removing *E. I.* warehoused goods by land carriage, REP. 6 G. 4. c. 105.
 41 G. 3. (*U. K.*) c. 38. Combinations of workmen, (*G. B.*) REP. 5 G. 4. c. 96. s. 1.
 41 G. 3. (*U. K.*) c. 53. Leather, REP. 6 G. 4. c. 105.
 41 G. 3. (*U. K.*) c. 75. Tea export to *Ire.* REP. 6 G. 4. c. 105.
 41 G. 3. (*U. K.*) c. 85. Fines imposed by trustees out of sessions in *Eng.* ss. 1, 2., REP. 3 G. 4. c. 46. s. 1.
1802. 42 G. 3. c. 18. Southern whale fishery, REP. 4 G. 4. c. 80. s. 1., and 6 G. 4. c. 105.
 42 G. 3. c. 20. Exports and imports, REP. 6 G. 4. c. 105.
 42 G. 3. c. 22. *Greenland* whale fisheries, REP. 6 G. 4. c. 105.
 42 G. 3. c. 44. *French* wines imported into *G. B.* in flasks, REP. 6 G. 4. c. 105.
 42 G. 3. c. 82. Smuggling, REP. 6 G. 4. c. 105.
 42 G. 3. c. 95. Duties on oil, &c. REP. 6 G. 4. c. 105.
 42 G. 3. c. 97; Clark's hydrometer in *Ire.* REP. 6 G. 4. c. 105.
1803. 43 G. 3. c. 15. Transportation, REP. 5 G. 4. c. 84. s. 29.
 43 G. 3. c. 25. Customs officers not to vote at elections of M. P.'s in *Ire.* REP. 6 G. 4. c. 105., see 1 G. 4. c. 11.
 43 G. 3. c. 56. Passage vessels, REP. 4 G. 4. c. 84. s. 1.

1803. 43 G.3. c.68. Customs in *G. B.*, REP. 3 G.4. c.42. s.29., the rest REP. 6 G.4. c.105. s.29.
- 43 G.3. c.69. Repealing old and granting new excise duties in *G. B.*, on auctions; bounties on salmon, herrings, sprats, pilchards and scads; Sched. (C.) REP. from 5th July 1825., 5 G.4. c.64. s.6.
- s.12. REP. as to so much as relates to quart, gallon, and barrel of beer or ale by 5 G.4. c.74. s.23.
- 43 G.3. c.86. Combinations in *Ire.*, REP. 6 G.4. c.129. s.2.
- 43 G.3. c.90. Limits of southern whale fishery, s.4. REP. 4 G.4. c.80. s.12.
- 43 G.3. c.128. Customs, regulating collection in *G. B.*, REP. 6 G.4. c.105.
- 43 G.3. c.151. Disputes between masters and workmen in cotton manufacture, REP. 5 G.4. c.96. s.1.
- 43 G.3. c.153. Imports into U. K. in neutral vessels, REP. as to the part unexpired, by 6 G.4. c.105.
- 43 G.3. c.153. Imports in neutral vessels, REP. in part. 3 G.4. c.45. s.1., as to trade in *Levant* seas, 6 G.4. c.53. s.3.
- 43 G.3. c.157. Punishment of persons going armed or disguised in defiance of customs or excise laws, &c.; such offences triable in any county in *Eng.*, REP. 6 G.4. c.105.
- 43 G.3. c. cvi. (Local) hides and skins, REP. 48 G.3. c. lxxi.—108. pl. 1.
1804. 44 G.3. c.57. Linens, export from U. K., REP. 6 G.4. c.105.
- 44 G.3. c.87. Masters and workmen in cotton manufacture in *Eng.*, REP. 5 G.4. c.96. s.1.
- 44 G.3. c.98. Post-horse duties, sch. (B.) REP. as to horses hired for travelling in *G. B.*, 4 G.4. c.62. s.1.
- 44 G.3. c.101. Salt, &c., export from the *Bahamas*, in United States vessels, REP. 3 G.4. c.44. s.1.
1805. 45 G.3. c.9. *Greenland* whalers, REP. 6 G.4. c.105.
- 45 G.3. c.10. Quarantine, REP. 6 G.4. c.78. s.1., and c.105.
- 45 G.3. c.18. *Ire.*, imports, exports, duties, REP. 6 G.4. c.105.
- 45 G.3. c.57. Imports and exports, *West Indies*, REP. 3 G.4. c.44. s.1.
- 45 G.3. c.68. Continuing several statutes, REP. 6 G.4. c.105.
- 45 G.3. c.72. in part EXP., and the residue REP. by 5 G.4. c.93. s.1.
- 45 G.3. c.96. Southern whale fishery, REP. 6 G.4. c.105.
- 45 G.3. c.99. Trade, revenue, smuggling, *Isle of Man*, REP. 6 G.4. c.105.
- 45 G.3. c.108. Customs and excise in *Ire.* REP. 6 G.4. c.105.
- 45 G.3. c.121. Smuggling, REP. 6 G.4. c.105.
- 45 G.3. c.122. Foreign plate glass imported into *G. B.*, REP. 6 G.4. c.105.
- 45 G.3. c.124. Members of parliament, REP. as to s.1., and so much of s.7. as relates to bankrupts, 5 G.4. c.98. s.1., 6 G.4. c.16. s.1.
- 45 G.3. c.128. Coals, bringing to *London*, &c. by inland navigation, continued till 1st Aug. 1825, by 1 G.4. c.54. REP. 6 G.4. c.105.
1806. 46 G.3. c.9. *Greenland* whalers, manning, REP. 6 G.4. c.105.
- 46 G.3. c.29. REP. as to customs in *Ire.*, 6 G.4. c.105.
- 46 G.3. c.52. Slave trade, REP. 5 G.4. c.113. s.1.
- 46 G.3. c.53. Hides and skins, REP. 5 G.4. c.57.
- 46 G.3. c.58. REP. as to revenue of customs in *Ire.*, 6 G.4. c.105.
- 46 G.3. c.72. *Tortola*, import and export, REP. 3 G.4. c.44. s.1.
- 46 G.3. c.74. *Prussian* yarn, import in foreign as well as in *British* ships, REP. 6 G.4. c.105.
- 46 G.3. c.81. Thread lace manufacture in *G. B.*, REP. by 59 G.3. c.52., and 6 G.4. c.105.
- 46 G.3. c.82. Abolishing fees received by custom-house officers in *London*, regulating their attendance, REP. 6 G.4. c.105.
1806. 46 G.3. c.87. REP. as to customs in *Ire.* 6 G.4. c.105.
- 46 G.3. c.98. Quarantine, REP. 6 G.4. c.78. s.1., and c.105.
- 46 G.3. c.104. (Local) Bringing 50,000 tons of coals to *London* by inland navigation, REP. 6 G.4. c.105.
- 46 G.3. c.106. REP. as to customs in *Ire.*, 6 G.4. c.105.
- 46 G.3. c.116. Exports from *Gibraltar* and *Malta* to the *North American* colonies, REP. 6 G.4. c.105.
- 46 G.3. c.128. s.3. That no duty shall be paid on export or import of article on which a bounty is allowed, REP. 6 G.4. c.105.
- 46 G.3. c.135. Bankrupts, REP. 5 G.4. c.98. s.1., 6 G.4. c.16. s.1.
- 46 G.3. c.137. Warehousing, REP. 6 G.4. c.105.
- 46 G.3. c.150. Receiver-general of customs of *G. B.*, REP. 6 G.4. c.105.
1807. 47 G.3. sess.1. c.9. *Canada*, annual export of worsted yarn to, REP. 6 G.4. c.105.
- 47 G.3. sess.1. c.22. Sugar bounties on export, REP. 6 G.4. c.105.
- 47 G.3. sess.1. c.25. *Turkey* tobacco, import into *G. B.* in small packages, REP. 6 G.4. c.105.
- 47 G.3. sess.1. c.26. *German* yarn, import in foreign ships, REP. 6 G.4. c.105.
- 47 G.3. sess.1. c.36. Abolition of slave-trade, REP. 5 G.4. c.113. s.1.
- 47 G.3. sess.1. c.43. Servants' wages (*Ire.*), REP. 6 G.4. c.129. s.2.
- 47 G.3. sess.1. c.48. Sugar and rice, warehousing, &c., REP. 6 G.4. c.105.
- 47 G.3. sess.1. c.49. Export of fullers' earth, fulling, and pipe-clay, REP. 6 G.4. c.105.
- 47 G.3. sess.1. c.51. Abolishing fees of customs' officers in *London*, regulating their attendance, superannuation fund, REP. 6 G.4. c.105.
- 47 G.3. sess.2. c.5. REP. as to out-pensioners of *Kilmainham*, 3 G.4. c.57. s.1.
- 47 G.3. sess.2. c.16. Imports and exports (*Ire.*), REP. as to customs, 6 G.4. c.105.
- 47 G.3. sess.2. c.27. To permit import of naval stores in ships belonging to states in amity with H. M. REP. 6 G.4. c.105.
- 47 G.3. sess.2. c.58. Salt, export from *Ire.*, REP. 6 G.4. c.105.
- 47 G.3. sess.2. c.61. Exports from *G. B.* to *Ire.*, duties, REP. 6 G.4. c.105.
- 47 G.3. sess.2. c.64. Calicoes and cottons exported to *Malta*, bounty, REP. 6 G.4. c.105.
- 47 G.3. sess.2. c.66. Smuggling, preventing, REP. 6 G.4. c.105.
1808. 48 G.3. c.11. Import of goods from *Portuguese America* in *Portuguese* ships, REP. 6 G.4. c.105.
- 48 G.3. c.12. Raw sugar of *British* plantation, export. REP. 6 G.4. c.105.
- 48 G.3. c.22. Export and import, *G. B.* [EXP.] REP. 6 G.4. c.105.
- 48 G.3. c.44. Wool export to *Ire.*, REP. 6 G.4. c.105.
- 48 G.3. c.55. Taxes, assessed.
- Sched. (A.) Duties thereby granted on windows or lights in shops or warehouses, being parts of warehouses chargeable by 48 G.3. c.55. in respect of any number not exceeding three such windows, &c. in any shop, &c. in the front or fronts under the ground or basement story of every dwelling-house, occupied by any person in trade, who shall expose to sale or sell any goods, &c. in any such shop, &c. wholly REP. 4 G.4. c.11. s.1.
- Moiety of duties on windows or lights, REP. 4 G.4. c.11. s.2.
- Duties thereby granted for every dwelling-house with the offices therein described, containing not more than six

1808. 48 G. 3. c. 55. Sched. A.

windows or lights, and not worth the rent of 5*l.* per annum, and for every dwelling-house with the offices aforesaid, containing not more than seven windows or lights, REP. 6 G. 4. c. 7. s. 1.

Sched. (B.) Duties of 1*s.* 6*d.* in the pound thereby granted on every inhabited dwelling-house, with the offices and lands therein described, being under 10*l.* per annum rent or value, REP. 6 G. 4. c. 7. s. 2.

Sched. (C.) No. 1. Moiety of duties on male servants and male persons, REP. 4 G. 4. c. 11. s. 2.

No. 2. Duties thereby granted in respect of gardeners or persons employed to work in any garden under any person chargeable to the duties mentioned in Sched. (C.) No. 1. and for every gardener employed in any garden where the constant labour of one person should not be necessary, REP. 4 G. 4. c. 11. s. 1.

No. 3. Duties thereby granted on male servants and male persons retained for the purposes of husbandry, manufacture or trade, by which the master or mistress described and chargeable with the duties therein mentioned should gain a livelihood, at any time employed in any domestic capacity or in any of the capacities in Sched. (C.) No. 1. mentioned, or as groom, stable boy, or helper in the stables, as in Sch. (C.) No. 3, also described, REP. 4 G. 4. c. 11. s. 1.

No. 4. Moiety of duties on male servants and persons, REP. 4 G. 4. c. 11. s. 2.

Sched. (D.) Nos. 1, 2, 3, and 4. Moiety of duties on two and four-wheel carriages, REP. 4 G. 4. c. 11. s. 2.

No. 4. Duty thereby granted for every taxed cart, constructed, built, and used as therein particularly described, REP. in part, 4 G. 4. c. 11. s. 1., in toto by 6 G. 4. c. 7. s. 1.

No. 5. Duties payable by coachmakers and makers of other carriages chargeable with duty, by 48 G. 3. c. 55. and on carriages made, sold, or repaired, as therein mentioned, REP. 6 G. 4. c. 7. s. 1.

No. 6. Duties payable by persons selling carriages by auction or on commission, REP. 6 G. 4. c. 7. s. 1.

Sched. (E.) Nos. 1, 2, 3. Moiety of duties on horses, mares, geldings, and mules, REP. 4 G. 4. c. 11. s. 2.

Sched. (F.) No. 1. Moiety of duties on horses, mares, geldings and mules, REP. 4 G. 4. c. 11. s. 2.

No. 2. Duties thereby imposed on husbandry horses, mares, geldings, or mules, kept by the occupiers of small farms or estates, in the said schedule described, such occupiers making also a livelihood therefrom and a profit by any trade or employment as therein also described, REP. 4 G. 4. c. 11. s. 1.

No. 3. Duties thereby granted on every occasional male waiter in any tavern, coffee-room, inn, or other house therein mentioned, for six calendar months, or less than six calendar months in any year; and on every such person not being a servant employed as an occasional waiter in any private house not less than six times within the year; and on every male person employed by any stable-keeper, for or in expectation of profit to take care of any horse, mare, or gelding kept for racing, running, or training, REP. 6 G. 4. c. 7. s. 1.

Moiety of duties on male servants and male persons, REP. 4 G. 4. c. 11. s. 2.

48 G. 3. c. 56. Customs officers, *Ire.* REP. 6 G. 4. c. 105.

48 G. 3. c. 62. Customs and excise, (*Ire.*) REP. as to customs, 6 G. 4. c. 105.

48 G. 3. c. 70. British ships captured by enemy and afterwards becoming property of *British* subjects, not entitled to privilege of *British* ships, REP. 4 G. 4. c. 41. s. 1.

1808. 48 G. 3. c. 71. Orders in council on prize and warehoused goods, REP. 6 G. 4. c. 105.

48 G. 3. c. 84. Smuggling bonds to customs, cancelling, REP. 6 G. 4. c. 105.

48 G. 3. c. 95. Bringing coals, &c. to *London*, &c. by inland navigation, REP. 6 G. 4. c. 105.

48 G. 3. c. 109. Trade with *Portuguese America*, REP. 6 G. 4. c. 105.

48 G. 3. c. 124. Southern Whale fishery, REP. 6 G. 4. c. 105.

48 G. 3. c. 125. Imports from *United States* to *West Indies* and to *British America*, REP. 3 G. 4. c. 44. s. 1.

48 G. 3. c. lxxi. (Local) Hides and skins, 5 G. 4. c. 57.

1809. 49 G. 3. c. 16. Import of rum, duty-free, from *Bermuda*, into *Lower Canada*, REP. 6 G. 4. c. 105.

49 G. 3. c. 17. Trade with *Cape of Good Hope*, REP. 6 G. 4. c. 105.

49 G. 3. c. 22. *Falmouth, Jamaica*, REP. 3 G. 4. c. 44. s. 1.

49 G. 3. c. 27. Courts of judicature in *Newfoundland*, re-annexing part of *Labrador*, and the islands lying on that coast, to government of *Newfoundland*, REP. as to courts of judicature and surrogate courts, 5 G. 4. c. 67. s. 21.

49 G. 3. c. 41. *British* ships captured by the enemy and recaptured, REP. 4 G. 4. c. 41. s. 1.

49 G. 3. c. 46. Principal officers of customs in *British America* and *West Indies*, authorized to examine witnesses on oath, REP. 6 G. 4. c. 105.

49 G. 3. c. 59. Trade with *United States*, carried on in their ships, REP. 6 G. 4. c. 105.

49 G. 3. c. 61. Sugar and coffee, duty on import, REP. 6 G. 4. c. 105.

49 G. 3. c. 62. Smuggling, REP. 6 G. 4. c. 105.

49 G. 3. c. 65. Justices of peace to have jurisdiction in customs, prosecutions for penalties, customs seizures, REP. 6 G. 4. c. 105.

49 G. 3. c. 98. Customs duties in *G. B.*: schedule of duties, butlerage and prisage of wines abolished, REP. 6 G. 4. c. 105.

49 G. 3. c. 99. Spirits (*Ire.*), REP. as to import into *Ire.* of stills or metal prepared for stills, by 6 G. 4. c. 105.

49 G. 3. c. 107. Recovery of penalties incurred in *British American* colonies, REP. 6 G. 4. c. 105.

49 G. 3. c. 116. REP. as to revenue of customs in *Ire.*, by 6 G. 4. c. 105.

49 G. 3. c. 121. Bankrupts, REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

49 G. 3. c. 127. s. 2. REP. as to salaries of chief barons, puisne judges, and barons of the coif, by 6 G. 4. c. 84. s. 1.

1810. 50 G. 3. c. 20. Superintendants of quarantine and assistants, 6 G. 4. c. 78. s. 1., 6 G. 4. c. 105.

50 G. 3. c. 27. Silk manufacture, (*Ire.*) REP. 5 G. 4. c. 66.

50 G. 3. c. 40. Oil of vitriol, export, &c. REP. 6 G. 4. c. 105.

50 G. 3. c. 42. Consolidating customs for *Isle of Man*, and placing them under *English* commissioners of customs, REP. 6 G. 4. c. 105.

50 G. 3. c. 55. *Italian* silk import prohibited, increasing officers' shares of seizures of foreign silks and leather gloves, REP. 6 G. 4. c. 105.

50 G. 3. c. 61. Sugar and coffee, import, REP. 6 G. 4. c. 105.

50 G. 3. c. 62. Smuggling in *Isle of Man*, preventing, REP. 6 G. 4. c. 105.

50 G. 3. c. 104. Duties on occasional gardeners and on taxed carts, REP. 4 G. 4. c. 11. s. 1.

50 G. 3. c. 104. Taxes, assessed.

Sched. No. I. Duty thereby imposed on every gardener contracting for keeping any garden where the constant labour of one person is not necessary, REP. 4 G. 4. c. 11. s. 1.

Schedule of duties payable on taxed carts:

No. I. Duty thereby imposed on every taxed cart, con-

1810. 50 G. 3. c. 104. Sched. No. 1.
 structured, built, and used in the manner therein particularly described, REP. 4 G. 4. c. 11. s. 1.
 No. II. Duty thereby imposed on every taxed cart with spring or springs, stuffed seat, or covered footboard, the value of such cart not exceeding 21*l*. REP. 6 G. 4. c. 7. s. 1.
 Moiety of duty on carriages granted by Sched. (D.) No. 2. *semble* No. III. REP. 4 G. 4. c. 11. s. 2.
- 50 G. 3. c. 110. Continued till 1st Aug. 1825, by 1 G. 4. c. 54. REP. 6 G. 4. c. 105.
- 50 G. 3. c. 117. Accounts of increase, diminution of public salaries, &c. to be annually laid before parliament, s. 12. REP. 3 G. 4. c. 113. s. 1—4.
1811. 51 G. 3. c. 7. REP. 5 G. 4. c. 66.
- 51 G. 3. c. 23. Slave trade, REP. 5 G. 4. c. 113. s. 1.
- 51 G. 3. s. 34. Limits of Southern Whale fishery, REP. 4 G. 4. c. 80. s. 12.
- 51 G. 3. c. 43. Duties on wood, drawbacks on woods used in mines of *Devon* and *Cornwall*, REP. 6 G. 4. c. 105.
- 51 G. 3. c. 45. Ships rooms in *Newfoundland*, surrogate courts, coast of *Labrador*; s. 2. relating to the institution of surrogate courts, REP. 5 G. 4. c. 67. s. 18.
- 51 G. 3. c. 46. Officers of customs to act for the superintendent of quarantine, REP. 6 G. 4. c. 78. s. 1., 6 G. 4. c. 105.
- 51 G. 3. c. 48. Spirits, *West India* import into *Canada* from *Nova Scotia*, &c., REP. 6 G. 4. c. 105.
- 51 G. 3. c. 50. Sheep, export from *Eng.* to *Isle of Man*, REP. 6 G. 4. c. 105.
- 51 G. 3. c. 52. Customs, *Isle of Man*, REP. 6 G. 4. c. 105. .
- 51 G. 3. c. 58. Chocolate, cocoa-nuts, REP. 6 G. 4. c. 105.
- 51 G. 3. c. 62. Imports of spirits, &c. from *West India* colonies into *Nova Scotia*, &c., REP. 6 G. 4. c. 105.
- 51 G. 3. c. 71. Abolition and regulation of offices in customs, REP. 6 G. 3. c. 105.
- 51 G. 3. c. 96. Commissioners of customs may restore seizures made by virtue of any act relating to customs, REP. 6 G. 4. c. 105.
- 51 G. 3. c. 97. Trade between *Europe*, south of *Cape Finis-terre*, and *British North American* colonies, (*G. B.*) REP. 3 G. 4. c. 45. s. 1.
1812. 52 G. 3. c. 2. Sugar of conquered *West India* colonies, duties for waste, REP. 6 G. 4. c. 105.
- 52 G. 3. c. 9. Coals, &c. duties, measurement of ships in coal trade, REP. 6 G. 4. c. 105.
- 52 G. 3. c. 11. Regulating offices of house of commons; part of s. 15. REP. 6 G. 4. c. 125. s. 3.
- 52 G. 3. c. 32. Relief of infant suitors in courts of equity intitled to any public stocks, REP. 6 G. 4. c. 74. s. 1.
- 52 G. 3. c. 35. Intercourse between *Jamaica* and *St. Domingo*, REP. 6 G. 4. c. 105.
- 52 G. 3. c. 39. Regulation of pilots and pilotage of vessels on coast of *Eng.*, REP. 6 G. 4. c. 125. s. 1.
- 52 G. 3. c. 55. Imports to *Canada* from *United States*, REP. 6 G. 4. c. 105.
- 52 G. 3. c. 76. Customs and port duties in *Ire.*, REP. 6 G. 4. c. 105.
- 52 G. 3. c. 79. *Bermudas* exports and imports, REP. 3 G. 4. c. 44. s. 1.
- 52 G. 3. c. 95. Taxes, assessed.
- Sched. (C.) No. 1. Moiety of duties on male servants and male persons, REP. 4 G. 4. c. 11. s. 2.
- No. 2. Additional duty thereby granted on under gardeners; or gardeners employed in any garden wherein the constant labour of a person shall not be necessary; and on every gardener who shall have contracted for the keeping of any such garden wherein the constant labour of a person shall not be necessary, REP. 4 G. 4. c. 11. s. 1.

1812. 52 G. 3. c. 23.

Sched. (C.) No. 3. Additional duty thereby granted on male servants and male persons retained for the purposes of husbandry, manufacture, or trade, by which the master or mistress described and chargeable with the duties therein mentioned should gain a livelihood, *at any time employed in any domestic capacity*, or in *any of the capacities* in Sched. (C.) No. 1. mentioned, or as a *groom, stable boy, or helper in the stables*, as in Sched. (C.) No. 3., also described, REP. 4 G. 4. c. 11. s. 1.

Additional duty thereby granted on every occasional male waiter in any tavern, coffee-house, inn, or other house therein mentioned for six calendar months, or less than six calendar months in any year, and on every such person not being a servant employed as an occasional waiter in any private house, not less than six times within the year, and on every male person employed by any stable keeper, for or in expectation of profit, to take care of any horse, mare, or gelding, kept for racing, running, or training, REP. 6 G. 4. c. 7. s. 1.

No. 4. Moiety of additional duties on male servants and male persons, REP. 4 G. 4. c. 11. s. 2.

Sched. (D.) Nos. 1, 2, 3, 4. Moiety of additional duties on two and four-wheel carriages, REP. 4 G. 4. c. 11. s. 2.

No. 4. Additional duties thereby imposed on taxed carts as therein described, REP. 4 G. 4. c. 11. s. 1.

No. 5. Additional duties payable by coachmakers, and makers of other carriages chargeable with duty by 52 G. 3. c. 93., and on carriages made, sold, and repaired, REP. 6 G. 4. c. 7. s. 1.

No. 6. Additional duties payable by persons selling carriages by auction or on commission, REP. 6 G. 4. c. 7. s. 1.

Sched. (E.) Nos. 1, 2, 3. Moiety of additional duty on horses, mares, geldings, and mules, REP. 4 G. 4. c. 11. s. 2.

Sched. (F.) No. 2. Additional duties thereby imposed on husbandry, horses, mares, geldings, or mules kept by the occupiers of small farms or estates in the said schedule described, such occupiers making also a livelihood therefrom, and a profit by any trade or employment, as therein also described, REP. 4 G. 4. c. 11. s. 1.

No. 4. Moiety of additional duty on horses, mares, geldings or mules, REP. 4 G. 4. c. 11. s. 2.

Note.—Such repeal extends to all horses, mares, or geldings, under 13 hands high in the Sched. (F.) described, 4 G. 4. c. 45. s. 10.

52 G. 3. c. 94. Excise duties on hides and skins given by schedule (A.) REP. 3 G. 4. c. 85. ss. 1—3.

52 G. 3. c. 98. Sugar, &c. export, and corn import, to and from H. M.'s colonies, REP. 3 G. 4. c. 45. s. 1.

52 G. 3. c. 99. *Bahamas* imports and exports, REP. 3 G. 4. c. 44. s. 1.

52 G. 3. c. 100. Permitting exports from one *West India* island to another, and to and from any *British* colonies in *America* and the said islands, REP. 6 G. 4. c. 105.

52 G. 3. c. 106. Spirits import to *Newfoundland*, REP. 6 G. 4. c. 105.

52 G. 3. c. 140. Exports from *G. B.* to *Isle of Man*, REP. 6 G. 4. c. 105.

52 G. 3. c. 141. Boats licensing, and purchase by commissioners of customs, REP. 6 G. 4. c. 105.

52 G. 3. c. 143. Consolidating provisions inflicting penalty of death for acts done in breach of or resistance to revenue laws in *G. B.*, REP. 6 G. 4. c. 105.

52 G. 3. c. 145. Turnpike tolls, REP. 3 G. 4. c. 126. s. 1.

52 G. 3. c. 158. Relief of persons equitably entitled to stocks and annuities, transferrable at bank of *Eng.*, REP. 6 G. 4. c. 74. s. 1.

1812. 52 G.3. c.159. Charging foreign liquors and tobacco derelict, &c. coming into *G. B.* with duties payable on import thereof, REP. 6 G.4. c.105.
1813. 53 G.3. c.3. Intercourse between *Jamaica* and *St. Domingo*, REP. 6 G.4. c.105.
- 55 G.3. c.4. *Levant* seas, regulating trade as to, REP. 6 G.4. c.33. s.3.
- 53 G.3. c.21. Subsistence of poor persons confined for debts, &c. sued for by order of commissioners of customs or excise, REP. 6 G.4. c.105.
- 53 G.3. c.36. Regulating vessels carrying passengers to *H. M.*'s foreign settlements, REP. 4 G.4. c.84. s.1.
- 53 G.3. c.37. Import of spirits, &c. from *West Indies* into *Canadas*, *ad valorem* duty, REP. 5 G.4. c.44. s.1.
- 53 G.3. c.44. Drawback on wine consumed by officers of marines on board *H. M.*'s ships, REP. 6 G.4. c.105.
- 53 G.3. c.46. Period during which writs of assistance shall be in force, REP. 6 G.4. c.105.
- 53 G.3. c.47. Bonds to customs from mates of merchants ships, aged eighteen, made valid, REP. 6 G.4. c.105.
- 53 G.3. c.50. *Bermudas* imports and exports, REP. 3 G.4. c.44. s.1.
- 53 G.3. c.55. *Ire.*, imports and exports duties, REP. 6 G.4. c.105.
- 53 G.3. c.75. Cotton trade, regulating in *Ire.*, REP. 5 G.4. c.96. s.1.
- 53 G.3. c.82. Turnpike tolls, REP. 3 G.4. c.126. s.1.
- 53 G.3. c.98. For more correctly ascertaining the value of goods exported duty free, REP. 6 G.4. c.105.
- 53 G.3. c.105. Exports and imports duties, drawbacks, bounties, &c. REP. 6 G.4. c.105.
- 53 G.3. c.111. Manning ships in southern whale fishery, continued till 31st Dec. 1823, by 50 G.3. c.113., REP. 6 G.4. c.105.
- 53 G.3. c.112. Slave trade prosecutions, REP. 5 G.4. c.115. s.1.
- 53 G.3. c.125. Silks, stuffs, ornamented with embroidery, &c. ribbons of silk mixed with cotton, &c. export bounty, REP. 6 G.4. c.105.
- 53 G.3. c.140. Boatmen supplying vessels with pilots within cinque ports, REP. 6 G.4. c.125. s.1.
- 53 G.3. c.155. Continuing possession of *India* to *E. I. C.* government and administration of justice therein, and trade to places within the company's charter, ss. 6—20. 40, 41. REP. 4 G.4. c.80. s.1.
- s.32. REP. as to limits which southern whalers were not to pass, by 4 G.4. c.80. s.12.
- s.54. Pensions to *Indian* church establishment, REP. 4 G.4. c.71. s.2.
- s.106. So much as gives to magistrates the cognizances of debts due from officers being *British* subjects to natives of *India*, REP. 4 G.4. c.81. s.57.
1814. 54 G.3. c.34. Trade to and from places within limits of *E. I. C.*'s charter regulated, REP. 4 G.4. c.80. s.1.
- 54 G.3. c.36. Customs duties on *E. I.* imports, REP. 6 G.4. c.105.
- 54 G.3. c.46. For altering the period during which writs of assistance shall remain in force, REP. 6 G.4. c.105.
- 54 G.3. c.48. Making 50 G.3. c.21. perpetual, REP. 3 G.4. c.44. s.1.
- 54 G.3. c.59. Ships condemned as slave ships, registered as *British*-built ships, REP. by general words of 4 G.4. c.44. s.1.
- 54 G.3. c.81. *Ire.* customs, REP. 6 G.4. c.105.
- 54 G.3. c.103. Imports from *E. I.* into *Ire.*, REP. 6 G.4. c.105.
1814. 54 G.3. c.120. *Ire.*, customs and excise, REP. as to duties of customs, 6 G.4. c.105.
- 54 G.3. c.122. Method of declaring value; imports and exports to and from *G. B.*, altered, REP. 6 G.4. c.105.
- 54 G.3. c.126. Shipwrecked seamen in *Portugal*, REP. 6 G.4. c.87. s.16.
- 54 G.3. c.129. *Ire.*, imports and exports, REP. 6 G.4. c.105.
- 54 G.3. c.134. *E. I. C.* and trade, s.1. is EXP. and ss. 2, 3. REP. 4 G.4. c.80. s.24.; s.23. seamen, *Asiatic*, REP. 4 G.4. c.80. s.24.
- 54 G.3. c.171. Treasury enabled to restore seizures and to remit or mitigate fines incurred by breach of customs, excise, or navigation laws of *G. B.*, REP. 6 G.4. c.105.
- 54 G.3. c.185. Export from *G. B.* of *British*-made cordage, bounty, REP. 6 G.4. c.105.
1815. 55 G.3. c.10. *E. I.* goods, REP. 4 G.4. c.80. s.15.; 6 G.4. c.105.
- 55 G.3. c.14. *Ire.*, REP. as to customs duties, 6 G.4. c.105.
- 55 G.3. c.24. Exports from *Ire.*, customs duties, REP. 6 G.4. c.105.
- 55 G.3. c.29. *Levant* trade, REP. 3 G.4. c.42. s.30., 3 G.4. c.45. s.1., 6 G.4. c.33. s.3.
- 55 G.3. c.31. Sugar export and import, import of coffee, sugar, and other articles from *Martinique*, &c. REP. 6 G.4. c.105.
- 55 G.3. c.45. Premiums of ships employed in southern whale fishery, REP. 6 G.4. c.105.
- 55 G.3. c.48. Clergymen in gaols, REP. 4 G.4. c.64. s.1.
- 55 G.3. c.82. Customs in *Ire.*, REP. 6 G.4. c.105.
- 55 G.3. c.83. Trade between *G. B.* and *Ire.*, customs, REP. 6 G.4. c.105.
- 55 G.3. c.87. Pilotage of foreign vessels in port of *London*, payment of, REP. 6 G.4. c.125. s.1.
- 55 G.3. c.94. s.6. REP. as to the bounties on *British* white herring fishery, by 5 G.4. c.64. s.1.
- 55 G.3. c.116. ss. 1—5. As to regulations for registry of ships built in *India*, REP. 4 G.4. c.41. s.1., and the whole act REP. 4 G.4. c.80. s.1.
- 55 G.3. c.118. Customs, REP. 6 G.4. c.105.
- 55 G.3. c.119. Turnpike roads, REP. 3 G.4. c.126. s.1.
- 55 G.3. c.129. REP. as far as relates to revenue of customs, 6 G.4. c.105.
- 55 G.3. c.144. Customs, offices, &c. in *Dublin*, REP. 6 G.4. c.105.
- 55 G.3. c.172. Support of captured slaves during period of adjudication, REP. 5 G.4. c.115. s.1.
- 55 G.3. c.174. Cinders or coke carried coastwise, not liable to duty if made from pit coal which paid duty, REP. 6 G.4. c.105.
- 55 G.3. c.184. Stamps duties on transfer of mortgages, &c., REP. 3 G.4. c.117. s.1.
- 55 G.3. c.185. Schedule, REP. as to duties therein made payable on stage carriages drawn by two horses without springs; on carriages drawn by one horse with any spring; on carriages drawn by two or more horses, and carrying one description of passengers only, with any spring, by 3 G.4. c.95. s.1.
1816. 56 G.3. c.9. Duties on foreign packets entering the ports of *G. B.*, REP. 6 G.4. c.105.
- 56 G.3. c.20. REP. as to customs in *Ire.* 6 G.4. c.105.
- 56 G.3. c.27. Transportation, EXP. See 5 G.4. c.84. s.1.
- 56 G.3. c.35. Customs, REP. 6 G.4. c.105.
- 56 G.3. c.37. Import of prunes, produce of *Germany*, REP. 3 G.4. c.42. s.31.
- 56 G.3. c.56. REP. as to duty on bank-notes, post-bills, &c. issued by any bank in *Ire.* for less than 5*l.*, 3 G.4. c.117. s.1.
- 56 G.3. c.66. Taxes assessed; s. 2. duty granted in respect of any horse, mare, or gelding, kept by any occupier of a farm under

1816. 56 G. 3. c. 66.

50*l. per ann.*, and making a livelihood principally thereby, and a profit by any trade or employment in the manner in that act described, REP. 4 G. 4. c. 11. s. 1.

56 G. 3. c. 81. Period of delivering in accounts by oil of vitriol manufacturers altered, REP. 6 G. 4. c. 105.

56 G. 3. c. 83. Conveying passengers to and from *Newfoundland* and *Labrador*, regulating, REP. 4 G. 4. c. 84. s. 1.

56 G. 3. c. 85. Customs, exports, and imports in *Ire.*, REP. 6 G. 4. c. 105.

56 G. 3. c. 91. Trade of *Demerara* and *Essequibo* regulated, REP. 6 G. 4. c. 105.

56 G. 3. c. 93. Enabling customs officers in *G. B.* to take entries of ships and goods arriving from and bound to *Ire.*, REP. 6 G. 4. c. 105.

56 G. 3. c. 104. Smuggling, licensing luggers employed in *North Sea* fishery; exporters of exciseable goods on drawback shall give notice of drawback, REP. 6 G. 4. c. 105.

56 G. 3. c. 110. Regulating trades of tanners and curriers, in *G. B.*, drawbacks on hides and skins, REP. 3 G. 4. c. 83. s. 1—3.

56 G. 3. c. 113. Duties on licences to retail ale, &c. and spirits in *G. B.*, REP. 5 G. 4. c. 54. s. 1.

56 G. 3. c. 114. To regulate conveyance of passengers from U. K. to *United States* in *British* vessels, REP. 4 G. 4. c. 84. s. 1.

56 G. 3. c. 157. Delivery of goods to bankrupt without knowledge of his bankruptcy, REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

1817. 57 G. 3. c. 4. Extending privileges of trade of *Malta* to port of *Gibraltar*, REP. 3 G. 4. c. 42. s. 30., REP. 3 G. 4. c. 45. s. 1., 6 G. 4. c. 33. s. 3.

57 G. 3. c. 10. Vessels carrying passengers from U. K. to *British North American* colonies, regulated, REP. 4 G. 4. c. 84. s. 1.

57 G. 3. c. 17. Taking away pre-emption of naval stores from navy commissioners, REP. 6 G. 4. c. 105.

57 G. 3. c. 23. continues 7 G. 2. c. 18. Free import of cochineal and indigo, REP. 6 G. 4. c. 105.

57 G. 3. c. 27. s. 3. REP. as to extending certain provisions to *Scot.* and *Ire.*, 6 G. 4. c. 129. s. 2.

57 G. 3. c. 28. *Bermudas* imports and exports, REP. 3 G. 4. c. 44. s. 4.

57 G. 3. c. 29. For permitting exportation of goods from any of H. M.'s islands in *West Indies* to *British* colonies, *America*, and other of said islands, REP. 6 G. 4. c. 105.

57 G. 3. c. 33. Reducing allowance of spirits and tobacco for use of seamen on board ships making short voyages, REP. 6 G. 4. c. 105.

57 G. 3. c. 36. Trade from places within *E. I. C.*'s limits with *Malta* and *Gibraltar*, REP. 4 G. 4. c. 80. s. 1.

57 G. 3. c. 37. Turnpike tolls, REP. 3 G. 4. c. 126. s. 1.

57 G. 3. c. 39. Charity and friendly societies, REP. 6 G. 4. c. 74. s. 1.

57 G. 3. c. 51. Celebration of marriages in *Newfoundland* regulated, REP. 5 G. 4. c. 68. s. 1. tit. *NEWFOUNDLAND*.

57 G. 3. c. 58. Exports to *United States*, REP. 59 G. 3. c. 54. s. 1. also, 6 G. 4. c. 105.

57 G. 3. c. 59. Farming and recovery of post-horse duties, REP. 4 G. 4. c. 62. s. 1.

57 G. 3. c. 73. *Irish* trade, REP. 6 G. 4. c. 105.

57 G. 3. c. 74. Imports and exports, *Jamaica* and *Barbadoes*, REP. 3 G. 4. c. 44. s. 1.

57 G. 3. c. 87. Preventing smuggling, REP. 6 G. 4. c. 105.

57 G. 3. c. 29. *Newfoundland*, imports and exports of *European* goods, REP. 6 G. 4. c. 105.

57 G. 3. c. 95. Exempting territories within *E. I. C.*'s charter, from certain navigation laws, REP. 6 G. 4. c. 105.

1817. 57 G. 3. c. 98. To allow importation of oranges and lemons from *Azores* and *Madeiras* to *British* colonies in *North America*, REP. 3 G. 4. c. 45. s. 1.

57 G. 3. c. 105. Banks for savings, (*Ire.*)

ss. 11, 13, 15, 16, REP. 5 G. 4. c. 62. s. 1.

Schedule, REP. 5 G. 4. c. 62. s. 38.

ss. 20, 22. REP. 5 G. 4. c. 62. s. 20.

57 G. 3. c. 116. Removal of warehoused goods for exportation, hours of shipping goods in port of *London*; customs officers authorized to allow removal of goods from one bonding-warehouse to another in the same port, REP. 6 G. 4. c. 105.

57 G. 3. c. 130. Savings banks, (*Eng.*) s. 19. REP. 5 G. 4. c. 62. s. 20.

1818. 58 G. 3. c. 15. Oath by masters, &c. of *Greenland* fishery vessels, REP. 6 G. 4. c. 105.

58 G. 3. c. 17. Assessed taxes; s. 1. Duty on certain carriages with four wheels of less diameter than 30 inches each, drawn by ponies, mules, oxen, or asses, REP. 6 G. 4. c. 7. s. 1.—a moiety of this duty had been previously repealed, 4 G. 4. c. 11. s. 2.

58 G. 3. c. 19. Imports into ports appointed by H. M., within *Nova Scotia* and *New Brunswick*, REP. 3 G. 4. c. 44. s. 1.

58 G. 3. c. 27. Imports into *West Indies* and *South America*, REP. 3 G. 4. c. 44. s. 1.

58 G. 3. c. 32. Salaries of chaplains in houses of correction, REP. 4 G. 4. c. 64. s. 1.

58 G. 3. c. 32. Salaries of chaplains in houses of correction, REP. 4 G. 4. c. 67. s. 10.

58 G. 3. c. 34. Bounties on export of refined sugar, reducing size of its packages for export, REP. 6 G. 4. c. 105.

58 G. 3. c. 48. Savings banks, (*Eng.*)

Schedule, REP. 5 G. 4. c. 62. s. 38.

s. 14. REP. 5 G. 4. c. 62. s. 20.

58 G. 3. c. 49. Abolition of slave-trade, REP. 5 G. 4. c. 113. s. 1.

58 G. 3. c. 76. Arresting foreigners smuggling within one league of H. M.'s dominions; officers' rewards, entry of tea imported, REP. 6 G. 4. c. 105.

58 G. 3. c. 97. Alien, Exp.

58 G. 3. c. 98. Slave-trade abolition, REP. 5 G. 4. c. 113. s. 1.

1819. 59 G. 3. c. 5. Tonnage of vessels propelled by steam, ascertaining, REP. 4 G. 4. c. 41. s. 1.

59 G. 3. c. 6. Distribution of rewards to army, marines, and navy officers for apprehending smugglers, REP. 6 G. 4. c. 105.

59 G. 3. c. 13. Taxes assessed s. 6. duty on mules carrying on their backs ore, slate, stone, coal, or culm to or from the mine or pit, or carrying lime, sea-sand, sea-weed, or other manure, REP. 6 G. 4. c. 7. s. 1.; a moiety of the duties on horses, mares, geldings, and mules, REP. 4 G. 4. c. 11. s. 2.

59 G. 3. c. 18. Export of salt from *Bahamas*, REP. 3 G. 4. c. 44. s. 1.

59 G. 3. c. 39. Payment of revenues into exchequer, REP. 6 G. 4. c. 105.

59 G. 3. c. 50. Renting tenements, settlement of poor, REP. 6 G. 4. c. 57. s. 1.

59 G. 3. c. 52. Repeals the duties of customs chargeable in *G. B.* and grants other duties in lieu thereof, REP. 6 G. 4. c. 105.

59 G. 3. c. 55. *Bermudas* imports and exports, REP. 3 G. 4. c. 44. s. 1.

59 G. 3. c. 73. Customs, REP. 6 G. 4. c. 105.

59 G. 3. c. 74. Tobacco, importation of, export from *G. B.* and importation into *Ire.* confined to vessels of 70 tons or more, s. 2. REP. 3 G. 4. c. 42. s. 32.

59 G. 3. c. 75. Reciprocal trade in spirits between *G. B.* and *Ire.*, REP. 6 G. 4. c. 105.

59 G. 3. c. 78. Transferring duty of supervisor of receiver-general's receipts and payments to comptroller-general of customs in *Eng.*, REP. 6 G. 4. c. 105.

1819. 59 G. 3. c. 82. Customs offices, &c. *Dublin*, REP. 6 G. 4. c. 105.
 59 G. 3. c. 83. *Ire.* exports and imports, customs duties, REP. 6 G. 4. c. 105.
 59 G. 3. c. 97. Slave trade, REP. 5 G. 4. c. 113. s. 1.
 59 G. 3. c. 101. Transportation of offenders in foreign dominions of crown, EXP.
 59 G. 3. c. 105. Spirits, and licences to retail same, duties; exemption of leather and glass, of carriages brought for private use from *Ire.* to *G. B.*, or from *G. B.* to *Ire.* from counter-vailing duty, REP. 6 G. 4. c. 105.
 59 G. 3. c. 109. Bounties to *Irish* fisheries REP. 5 G. 4. c. 64. s. 1.
 59 G. 3. c. 110. Dues payable to *Levant* company, REP. 6 G. 4. c. 33. s. 3.
 59 G. 3. c. 120. Slave trade, REP. 5 G. 4. c. 113. s. 1.
 59 G. 3. c. 121. Smuggling, preventing, REP. 6 G. 4. c. 105.
 59 G. 3. c. 122. Vessels under 350 tons may trade between U. K. and *New South Wales*, REP. 4 G. 4. c. 80. s. 1.
 59 G. 3. c. 123. Customs regulations, REP. 6 G. 4. c. 105.
 59 G. 3. c. 125. *E. I.* goods imported, REP. 6 G. 4. c. 105.
 59 G. 3. c. 126. Proof to obtain drawback on coals used in smelting tin, &c. in *Devon* and *Cornwall*, same as on coals used in mines, &c., REP. 6 G. 4. c. 105.
1820. 60 G. 3. c. 12. EXP.
 1 G. 4. c. 7. Bonds to H. M. and oaths in matters relating to customs, penalty of offering fees to officers of customs, bonds from owners of passage-vessels, REP. 6 G. 4. c. 105.
 1 G. 4. c. 8. Drawback on imports into *British* colony in *America*, on legal export to foreign country, REP. 6 G. 4. c. 105.
 1 G. 4. c. 9. ss. 1—4. REP. as to registering of ships or vessels at *Malta*, *Gibraltar* or *Heligoland*, REP. 4 G. 4. c. 41. s. 1., query, if 1 G. 4. c. 9. ss. 5, 6. are also thereby repealed.
 1 G. 4. c. 12. Imports and exports of certain goods to *Morant Bay* in *Jamaica*, REP. 3 G. 4. c. 44. s. 1.
 1 G. 4. c. 14. REP. as to export of cordage, viz. s. 3. by 6 G. 4. c. 105.
 1 G. 4. c. 16. Glass, excise duties, continuing 59 G. 3. c. 104.
 1 G. 4. c. 18. Alien, EXP.
 1 G. 4. c. 32. Importation of coffee from foreign colonies, in *America* to *Barbadoes*, REP. 3 G. 4. c. 44. s. 1.
 1 G. 4. c. 34. Continues 56 G. 3. c. 91. till Jan. 1, 1826, REP. 6 G. 4. c. 105.
 1 G. 4. c. 43. Smuggling and coasting trade in *G. B.*, REP. 6 G. 4. c. 105.
 1 G. 4. c. 48. Yeomanry corps in *Ire.*, EXP.
 1 G. 4. c. 50. Slaves, REP. 5 G. 4. c. 113. s. 1.
 1 G. 4. c. 54. Coals to *London*, &c. by inland navigation, REP. 6 G. 4. c. 105.
 1 G. 4. c. 61. *Isle of Man*, import duties, REP. 6 G. 4. c. 105.
 1 G. 4. c. 64. Continuing 58 G. 3. c. 34. till July 5, 1824, EXP.
 1 G. 4. c. 65. Examination of colonial expenditure, EXP.
 1 G. 4. c. 80. Sugar (*Ire.*) REP. 6 G. 4. c. 105.
 1 G. 4. c. 82. Bounties granted by, to *Irish* fisheries, REP. 5 G. 4. c. 64. s. 1.
 1 G. 4. c. 83. Savings banks (*Eng.*) s. 12. REP. 5 G. 4. c. 62. s. 24.
 1 G. 4. c. 88. Farming post-horse duties, REP. 4 G. 4. c. 62. s. 1.
 1 G. 4. c. 103. REP. as to bounties in *British* fisheries, by 5 G. 4. c. 64. s. 1.
 1 G. 4. c. 115. REP. as to punishing non-conforming bankrupts, 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.; and, as to capital punishment, for privately stealing to the value of 15*l.* in shop, warehouse, coach-house, or stable, by 4 G. 4. c. 53.
 1 G. 4. c. 119. ss. 20, 21, 23, 39. Power of justices over insolvents, REP. 5 G. 4. c. 61. s. 1.
1821. 1 & 2 G. 4. c. 6. Transportation, EXP.
 1 & 2 G. 4. c. 7. *Nova Scotia* trade, REP. 3 G. 4. c. 44. s. 1.
 1 & 2 G. 4. c. 14. REP. 3 G. 4. c. 42. s. 12.
 1 & 2 G. 4. c. 15. Lunatic stock transfer, REP. 6 G. 4. c. 74. s. 1.
 1 & 2 G. 4. c. 16. Sittings of K. B. before *Michaelmas*, *Hilary*, and *Easter* terms, for dispatch of business, REP. from 31st July 1822, 3 G. 4. c. 102. s. 1.
 1 & 2 G. 4. c. 19. Removal of certain goods between *G. B.* and *Ire.*, REP. 6 G. 4. c. 105.
 1 & 2 G. 4. c. 37. Timber duty, REP. 6 G. 4. c. 105.
 1 & 2 G. 4. c. 46. Attendance of jurors at assizes, REP. 6 G. 4. c. 50. s. 62.
 1 & 2 G. 4. c. 51. Six per cent. interest on *Irish* and colonial mortgages, &c., REP. 3 G. 4. c. 47. s. 1., except so far as regards any mortgage or securities executed before 24th June, 1822.
 1 & 2 G. 4. c. 55. Stamps in *Ire.*; REP. as far as relates to any agreement, &c. for payment of money which by law or terms of agreement shall be payable in *Ire.*, 3 G. 4. c. 117. s. 5.
 1 & 2 G. 4. c. 64. Vagrant law amendment, EXP.
 1 & 2 G. 4. c. 65. Regulation of the *E. I.* trade, REP. 4 G. 4. c. 80. s. 1.
 1 & 2 G. 4. c. 67. Drawback on coals, REP. 6 G. 4. c. 105.
 1 & 2 G. 4. c. 75. Salvage, REP. as to sale of goods duty-free to pay expences of salvage, &c., viz. part of s. 38., by 6 G. 4. c. 105.
 1 & 2 G. 4. c. 76. Salvage within cinque ports, REP. as to sale of goods duty-free to pay expences of salvage, &c. viz. part of s. 20. by 6 G. 4. c. 105.
 1 & 2 G. 4. c. 79. s. 1. Bounty, REP. 5 G. 4. c. 64. s. 1.
 1 & 2 G. 4. c. 84. Customs, duties on wood, REP. 6 G. 4. c. 105.
 1 & 2 G. 4. c. 94. Rum, importation, REP. 6 G. 4. c. 105.
 1 & 2 G. 4. c. 97. Coasting trade, REP. 6 G. 4. c. 105.
 1 & 2 G. 4. c. 103. Customs (*Ire.*) REP. 6 G. 4. c. 105.
 1 & 2 G. 4. c. 104. *Isle of Man*, sugar regulations, REP. 6 G. 4. c. 105.
 1 & 2 G. 4. c. 110. Assessed taxes, s. 5., making duties imposed by 56 G. 3. c. 66. s. 2., on horses, &c., kept by occupiers of farms under 50*l.* per ann. perpetual, REP. 4 G. 4. c. 11. s. 1.
 1 & 2 G. 4. c. 114. Trust or mortgage estates vested in idiots, REP. 6 G. 4. c. 74. s. 1.
1822. 5 G. 4. c. 15. Alien, EXP.
 3 G. 4. c. 28. Linens, export, REP. 6 G. 4. c. 105.
 3 G. 4. c. 40. Vagrant, REP. 5 G. 4. c. 83. s. 1.
 3 G. 4. c. 43. Navigation act, REP. 6 G. 4. c. 105.
 3 G. 4. c. 44. Colonial trade with neighbouring ports, REP. 6 G. 4. c. 105.
 3 G. 4. c. 45. Colonial trade in general, REP. 6 G. 4. c. 105.
 5 G. 4. c. 46. Levying fines and recognizances, REP. as to ss. 7, 8. by 4 G. 4. c. 37. s. 2.
 3 G. 4. c. 74. Bankrupt, REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.
 3 G. 4. c. 75. Marriage, REP. as to ss. 8—26. by 4 G. 4. c. 17., and in toto, except as far as it repeals any other act, 4 G. 4. c. 76.
 3 G. 4. c. 81. Bankrupt, REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.
 3 G. 4. c. 107. Brimstone, customs duties, REP. 6 G. 4. c. 105. s. 1.
 5 G. 4. c. 110. Smuggling, REP. 6 G. 4. c. 105.
 3 G. 4. c. 113. ss. 9—22. Superannuation allowances, *semb.* REP. 5 G. 4. c. 104. s. 1.
 3 G. 4. c. 119. Trade of *Canada*, REP. as to trade between *Canada* and *United States*, REP. in part, 6 G. 4. c. 105.

1822. 5 G. 4. c. 123. ss. 9. 14. Insolvents, REP. as to power of justices in sessions, 5 G. 4. c. 61. s. 1.
 3 G. 4. c. 126. Turnpike roads in *Eng.*
 s. 5. REP. 4 G. 4. c. 95. s. 1.
 s. 6. REP. 4 G. 4. c. 95. s. 5.
 s. 8. REP. 4 G. 4. c. 95. s. 12.
 s. 10. REP. 4 G. 4. c. 95. s. 18.
 s. 17. EXP.
 s. 18. EXP.
 s. 19. REP. 4 G. 4. c. 95. s. 12.
 s. 34. REP. 4 G. 4. c. 95. s. 22.
 s. 42. REP. 4 G. 4. c. 95. s. 11.
 s. 50. REP. 4 G. 4. c. 95. s. 47.
 s. 52. REP. as to waggons, &c. drawn by greater number of horses than by 3 G. 4. c. 126. allowed, by 4 G. 4. c. 95. s. 27.
 s. 53. REP. 4 G. 4. c. 95. s. 30.
 s. 56. REP. 4 G. 4. c. 95. s. 61.
 s. 67. REP. 4 G. 4. c. 95. s. 39.
 s. 68. REP. 4 G. 4. c. 95. s. 40.
 s. 77. REP. 4 G. 4. c. 95. s. 46.
 s. 96. REP. 4 G. 4. c. 95. s. 64.
 s. 104. REP. 4 G. 4. c. 95. s. 79.
 s. 105. REP. in part, 4 G. 4. c. 95. s. 82.
1823. 4 G. 4. c. 2. *West Indies and British America* trade, REP. 6 G. 4. c. 105.
 4 G. 4. c. 11. s. 8. Remission of assessed taxes in respect of children, *semb.* EXP. since, 6 G. 4. c. 7. s. 1.
 4 G. 4. c. 17. REP. from 1st Nov. 1823., except so much as repeals former acts, 4 G. 4. c. 76. s. 1.
 4 G. 4. c. 23. Consolidation of the several boards of customs and excise in *G. B.* and *Ire.*, REP. as to customs, 6 G. 4. c. 105.
 4 G. 4. c. 24. Warehousing, REP. 6 G. 4. c. 105.
 4 G. 4. c. 25. *British* merchantmen; apprentices, desertion of seamen, REP. 6 G. 4. c. 105.
 4 G. 4. c. 26. Trade between *G. B.* and *Ire.*, duties, REP. 6 G. 4. c. 105.
 4 G. 4. c. 30. Trade between *G. B.* and *Ire.*, REP. 6 G. 4. c. 105.
 4 G. 4. c. 39. Brimstone, customs duties, REP. 6 G. 4. c. 105.
 4 G. 4. c. 41. Registering vessels, REP. from 5th July 1826, except so far as repeals any other act, 6 G. 4. c. 105.
 4 G. 4. c. 44. Barilla, customs, REP. 6 G. 4. c. 105.
 4 G. 4. c. 47. Employment in colonies of male transports, EXP.
1823. 4 G. 4. c. 64. Gaols, s. 54. REP. as to amount of sums which may be borrowed by 6 G. 4. c. 40. s. 5., Sch. (A.) REP. as to *Canterbury, Lichfield and Lincoln*, by 5 G. 4. c. 85. s. 9.
 4 G. 4. c. 66. Trade between *G. B.* and *Ire.*, REP. 6 G. 4. c. 105.
 4 G. 4. c. 69. Customs in *G. B.*, REP. 6 G. 4. c. 105.
 4 G. 4. c. 71. Pensions to *E. I.* judges, s. 10. REP. virtually, 6 G. 4. c. 85. s. 2.; s. 15. REP. 6 G. 4. c. 85. s. 6.
 4 G. 4. c. 72. REP. as to revenue of customs, 6 G. 4. c. 105.
 4 G. 4. c. 82. Penitentiary, EXP.
 4 G. 4. c. 84. Passage vessels, REP. except so far as repeals any other act, 6 G. 4. c. 105.
 4 G. 4. c. 85. Enquiry into *Scotch* courts and appeals, EXP.
1824. 5 G. 4. c. 21. Duties on silk, REP. 6 G. 4. c. 105.
 5 G. 4. c. 22. Trade between *G. B.* and *Ire.*, REP. 6 G. 4. c. 105.
 5 G. 4. c. 34. *British American* rum, import duties, REP. 6 G. 4. c. 105.
 5 G. 4. c. 35. Sugar, export bounties, REP. 6 G. 4. c. 105.
 5 G. 4. c. 41. Law stamps, s. 2. EXP.
 5 G. 4. c. 43. Duties on import and export, REP. 6 G. 4. c. 105.
 5 G. 4. c. 46. Coals carried coastwise to ports in *Wales*, duties, REP. 6 G. 4. c. 105.
 5 G. 4. c. 47. Wool, hare and coney skins, duties REP. 6 G. 4. c. 105.
 5 G. 4. c. 65. Salt, REP. as far as relates to revenue of customs, 6 G. 4. c. 105.
 5 G. 4. c. 76. Duties on sugar and other imports from *E. I.*, REP. 6 G. 4. c. 105.
 5 G. 4. c. 79. Oaths, REP. from 5th July 1826, as to commissioners and officers of customs, 6 G. 4. c. 105.
 5 G. 4. c. 88. Trade by *E. I.* Co. direct from *China* to *British America*, REP. 6 G. 4. c. 105.
 5 G. 4. c. 94. Evidence, REP. from 5th July 1826, as far as relates to the customs, 6 G. 4. c. 105.
 5 G. 4. c. 95. Workmen, combinations, REP. 6 G. 4. c. 129. s. 1.
 5 G. 4. c. 98. Bankrupts, REP. 6 G. 4. c. 16. s. 1.
 5 G. 4. c. 106. s. 29. Jurors in *Wales*, REP. 6 G. 4. c. 50. s. 62.
1825. 6 G. 4. c. 73. Trade with colonies, REP. virtually by 6 G. 4. c. 109. 114.
 6 G. 4. c. 76. Trade with the *Mauritius*, REP. virtually, 6 G. 4. c. 114. s. 44.

Table of Acts of Scotch Parliaments repealed by Acts passed in the Parliament of the United Kingdom of Great Britain and Ireland in the Third, Fourth, Fifth, and Sixth Years of George IV., and contained in this Supplement.

Jac. 1. Parl. 5. Fees of craftsmen and price of work, REP. 6 G. 4. c. 129. s. 2.
 Fees of workmen, REP. *id. ibid.*
 Of witches and masones, REP. *id. ibid.*

Jac. 1. Parl. 7. Price of ilk workmanship, REP. 6 G. 4. c. 129. s. 2.
 Mary, Parl. 5. Price of craftsmen's work, &c., REP. *id. ibid.*
 Jac. 6. Parl. 7. Setting of price of stuff, &c., REP. *id. ibid.*

Table of Acts of Irish Parliaments repealed by Acts passed in the Parliament of the United Kingdom of Great Britain and Ireland in the Third, Fourth, Fifth, and Sixth Years of George IV., and contained in this Supplement.

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| <p>25 H. 6. c. 3. Customs, REP. 6 G. 4. c. 105.
 c. 10. Exports of bullion, REP. 6 G. 4. c. 105.
 35 H. 6. c. 1. Customs on silver exported, REP. 6 G. 4. c. 105.
 12 Ed. 4. c. 2. Bows import, REP. 10 Car. 1. st. 2. c. 32. (Ire.) 3 G. 4. c. 41. s. 10.
 13 H. 8. c. 2. Wool export, REP. 3 G. 4. c. 41. s. 2.
 22 H. 8. c. 17. Wool export, REP. 3 G. 4. c. 41. s. 2.
 28 H. 8. c. 22. Customs, REP. 6 G. 4. c. 105.
 35 H. 8. st. 1. c. 9. Servants' wages, REP. 6 G. 4. c. 129. s. 2.
 11 El. c. 10. Wool, tallow, &c., export, REP. 3 G. 4. c. 41. s. 4.
 12 El. c. 3. Measure of corn in certain shires in Ire., REP. 5 G. 4. c. 74. s. 23.
 15 El. c. 1. Cloth, sheep-fells, &c., export, REP. 3 G. 4. c. 41. s. 6.
 18 El. c. 9. Leather, tallow, and raw hides, export, REP. 3 G. 4. c. 41. s. 4.
 28 El. c. 4. Wines, duties, REP. 3 G. 4. c. 41. s. 2.
 10 & 11 C. 1. c. 11. s. 5. Customs, informations, REP. 6 G. 4. c. 105.
 14 & 15. C. 2. c. 9. Customs, REP. 6 G. 4. c. 105.
 17 & 18 C. 2. c. 18. s. 2. Customs, REP. 6 G. 4. c. 105.
 7 W. 3. c. 24. Measures, REP. 5 G. 4. c. 74. s. 23.
 2 Ann c. 17. Measures (Ire.), REP. 5 G. 4. c. 74. s. 23.
 4 Ann c. 7. Rapeseed export duty, REP. 6 G. 4. c. 105.
 1 G. 2. c. 21. Measures of coals, REP. 5 G. 5. c. 74. s. 23.
 3 G. 2. c. 14. Combinations of workmen, REP. in part, 5 G. 4. c. 95. s. 1., in toto, 6 G. 4. c. 129. s. 2.
 9 G. 2. c. 9. Measures of ale, REP. 5 G. 4. c. 74. s. 23.</p> | <p>17 G. 2. c. 28. Assemblies, REP. in part 6 G. 4. c. 129. s. 2.
 33 G. 2. c. 14. s. 15. Revenue officer not to be banker, REP. 6 G. 4. c. 105.
 3 G. 5. c. 17. Combinations, &c. in Cork, REP. in part, 6 G. 4. c. 129. s. 2.
 c. 34. Combinations, linen and hemp manufactures, REP. in part, 6 G. 4. c. 129. s. 2.
 11 & 12 G. 3. c. 18. Combinations in Cork, REP. in part, 6 G. 4. c. 129. s. 2.
 c. 33. Combinations, &c. in Dublin, REP. in part, 6 G. 4. c. 129. s. 2.
 19 & 20 G. 5. c. 19. Combinations, REP. 6 G. 4. c. 129. s. 2.
 c. 24. Silk manufactures, combinations, wages, REP. in toto, 5 G. 4. c. 66., again in part, 6 G. 4. c. 129. s. 2.
 c. 36. Combinations, REP. in part, 6 G. 4. c. 129. s. 2.
 21 & 22 G. 3. c. 20. s. 23. Receivers of customs, REP. 6 G. 4. c. 105.
 25 G. 3. c. 17. REP. as to seducing artificers, 5 G. 4. c. 97. s. 1.
 c. 48. Wages, REP. in part 6 G. 4. c. 129. s. 2.
 26 G. 3. c. 35. Measure of lime, REP. 5 G. 4. c. 77. s. 23.
 27 G. 3. c. 23. Navigation, REP. 5 G. 4. c. 42. s. 5., 6 G. 4. c. 105.
 27 G. 3. c. 28. Production of manifests, REP. 6 G. 4. c. 105.
 36 G. 5. c. 37. Silk manufacture, REP. 5 G. 4. c. 66. s. 1.
 37 G. 3. c. 42. Tobacco duties, REP. 6 G. 4. c. 105.
 37 G. 3. c. 52. Coffee, REP. 6 G. 4. c. 105.
 40 G. 5. c. 17. Silk manufacture, REP. 5 G. 4. c. 66. s. 1.
 c. 20. Bounties on exports, REP. 6 G. 4. c. 105.
 c. 77. Tobacco duties, REP. 6 G. 4. c. 105.</p> |
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SUPPLEMENT

TO

A DIGEST

OF THE

PUBLIC GENERAL STATUTES.

ACCESSORY.

1. For the further and more adequate punishment of accessories before the fact to grand larceny and certain other offences, 3 G. 4. c. 38. s. 2, 3. [See s. 1. MANSLAUGHTER, s. 2. SERVANTS.] [See further *Stat. Dig. Index*, tit. ACCESSORY.]

2. Whereas children, servants, and others are often induced to commit thefts by the persuasion, instigation, or commands of wicked and evil-disposed persons, who, not being present, aiding, and assisting in the commission of such thefts, frequently escape the punishment which so mischievous an offence demands: it is enacted, That from and after the passing of this act [24th June, 1822], if any person or persons shall counsel, hire, procure, or command any other person or persons to commit any larceny whatsoever of the degree of grand larceny, then and in every such case, if the person or persons so counselling, hiring, procuring, or commanding as aforesaid, shall be convicted of felony, and shall be entitled to the benefit of clergy, and by the laws now in force shall be liable to be fined and imprisoned for any term not exceeding one year only, he, she, or they, instead of being so fined and imprisoned as aforesaid, may at the discretion of the Court by or before which any such offender shall be convicted, be ordered and adjudged to be transported beyond the seas for the term of seven years, or to be imprisoned only, or to be imprisoned and kept to hard labour, in the common gaol, house of correction, or penitentiary house, for any term not exceeding three years, 3 G. 4. c. 38. s. 3.

3. And for the due punishment of accessories before the fact to burglary, robbery, and larceny, in cases where the principal offenders shall not have been discovered, or shall be concealed, or not be amenable to justice: it is enacted, That from and after the passing of this act [24th June, 1822], if any person or persons shall counsel, hire, procure, or command any other person or persons to commit any burglary, robbery, or larceny whatsoever, of the degree of grand larceny, then and in any such case (except where the person or persons actually committing any such felony as aforesaid shall have been actually convicted thereof), the person or persons so counselling, hiring, procuring, or commanding as aforesaid, shall be held and deemed guilty of, and may be prosecuted for a misdemeanor, and being convicted thereof shall be liable to be imprisoned only, or to be imprisoned and kept to hard labour, in the common gaol, house of correction, or peni-

mentary house, for any term not exceeding two years, although the principal felon or felons be concealed or be conveyed away, or be not before convicted of any such felony as aforesaid, and whether he, she, or they, is or are amenable to justice or not, any law or statute to the contrary notwithstanding: Provided that any such offender, after having been prosecuted and convicted under this act, shall not for the same offence, be afterwards punished, or liable to be punished, as an accessory before the fact, [sic] the principal felon or felons shall be afterwards convicted, 3 G. 4. c. 38. s. 4.

ADMIRALTY.

1. To enable two or more of the commissioners for executing the office of Lord High Admiral of the U. K. of *Great Britain and Ireland*, when the number of such commissioners is less than six, to do certain acts heretofore done by three or more of the same commissioners, 3 G. 4. c. 19.

2. Whereas by divers acts certain powers and authorities are given to, and certain duties imposed upon, the Lord High Admiral of the U. K., or the commissioners for executing such office, or any three or more of them; And whereas (H. M. having been pleased to reduce the number of commissioners from seven to five,) it is expedient that two or more of the said commissioners should be enabled to exercise and execute the powers, authorities, and duties, and to perform and do all things which by any of the said acts might or ought to be exercised, executed, performed, or done by three or more of the same commissioners: it is therefore enacted, That from and after the passing of this act [3d April, 1822], whenever the number of commissioners appointed by H. M. for exercising the said office of lord high admiral is or shall be less than six, it shall and may be lawful for any two or more of the said commissioners, and any two or more of the said commissioners are hereby empowered to exercise and execute all authorities and duties, and to perform and do all acts, matters, and things, which by any act or acts of parliament now in force can, may, or ought to be exercised, executed, performed, or done by three or more of the said commissioners; and all such acts, matters, and things done, performed, and executed by two or more of the said commissioners, when their whole number shall be less than six as aforesaid, shall be as valid, and effectual to all intents and purposes, as if done, performed, and executed by three or more of the said commissioners, 3 G. 4. c. 19.

ALEHOUSES.

1. For amending the laws for regulating the manner of licensing alehouses in that part of the U. K. called *England*, and for the more effectually preventing disturbances therein, 3 G. 4. c. 77. [To continue in force from 26th *July*, 1822, for three years, and from thence to the end of the then next session, s. 26.]

2. Whereas the several statutes now in force for regulating the manner of licensing persons to keep alehouses, or to sell ale, beer, and other liquors by retail therein, in that part of the U. K. called *England*, are found to be defective and insufficient, and it is expedient That the laws concerning such alehouses, inns, and victualling-houses, and the licensing thereof, should be amended, and some further provisions made as to the mode of granting such licences: it is enacted, That from the 26th *July*, 1822, every person to whom the justices of the peace or magistrates shall grant a licence or authority to keep a common inn, alehouse, or victualling-house, or to sell ale, beer, cyder, perry, or other exciseable liquors by retail within *England*, shall upon such licence, &c. being granted or issued enter into a recognizance to the king in 30*l.*, with one sufficient surety in 20*l.*, or two sureties in 10*l.* each, in the form prescribed in the schedule to this act annexed, marked A; and in case the person applying for such licence shall be hindered through sickness or infirmity or other reasonable cause to attend in person at the meeting of the same justices or magistrates for granting the said licence, &c. then it shall be lawful for them to grant such licence, &c. upon two sureties entering into such recognizance, each surety in the penalty of 30*l.*, for the performance of the condition of the said recognizance, and which recognizance shall be acknowledged in the presence of the majority, and signed by at least two of the justices, &c. present at any such meeting; and the same with the condition thereof shall be at the next general or quarter sessions at farthest after the granting of such licence, &c., sent or returned to the clerk of the peace, or person acting as such for every county, riding, city, liberty, town corporate, or place in *England*, wherein such licence, &c. is granted, to be by such clerk of the peace, &c. duly entered or filed amongst the records of the sessions; and that every licence, &c. granted without taking such recognizance, and for every such recognizance taken and not returned as aforesaid, every justice, &c. signing such licence, &c. shall forfeit 3*l.* 6*s.* 8*d.*; and every such licence, &c. to be granted by the justices of peace or magistrates after 26th *July*, 1822, shall be in the form prescribed in the schedule B: Provided always that no police-officer, patrol, constable, or headborough, shall be a surety for any innkeeper, alehouse-keeper, or victualler, under this act, 3 G. 4. c. 77. s. 1.

Schedule (A.) Form of Recognizance.

Middlesex. } At a ——— meeting of H. M.'s justices of the peace acting in and for the division [*or, liberty, &c. as the case may be*], held at ——— in the division [*or, liberty, &c.*] and county aforesaid, on the ——— day of ——— one thousand eight hundred and ———, T. S. at the sign of, &c. victualler, acknowledges himself to be indebted to our sovereign lord the king, in the sum of ——— pounds, E. F. of &c. acknowledges himself to be indebted to our sovereign lord the king, in the sum of ——— pounds, to be levied upon their several goods and chattels, lands and tenements, by way of recognizance, to H. M.'s use, his heirs and successors, upon condition that the said T. S. do and shall keep the true assize in uttering and selling bread and other victuals, beer, ale, and other liquors in his, her, or their house, and shall not fraudulently dilute or adulterate the same, and shall not use, in uttering and selling thereof, any pots or other measures that are not of full size, and shall not wilfully or knowingly permit drunkenness or tippling, nor get drunk in his, her, or their house or other premises; nor knowingly suffer any gaming with cards, draughts, dice, bagatelle, or any other sedentary game, in his, her, or their house, or any of the outhouses, appurtenances, or easements thereto belonging, by journeymen, labourers, servants, or apprentices; nor knowingly introduce, permit, or suffer, any bull, bear, or badger-baiting, cock-fighting, or other such sport or amusement, in any part of his, her, or their premises; nor shall knowingly or designedly, and with a view to harbour and entertain such, permit or suffer men or women of notoriously bad fame, or dissolute girls and boys, to assemble and meet together in his, her, or their house, or any of the premises thereto belonging; nor shall keep open his, her, or their house, nor permit or suffer any drinking or tippling in any part of his, her, or their premises during the usual hours of divine service on *Sundays*; nor shall keep open his, her, or their house or other premises during late hours of the night or early in the morning, for any other purpose than the reception of travellers, but do keep good rule and order therein according to the purport of a licence granted for selling ale, beer, or other liquors by retail in the said house and

premises for one whole year, commencing on the tenth day of *October* next; then this recognizance to be void, or else to remain in full force.

Schedule (B.) Form of Licence to keep an Alehouse.

At a general meeting of H. M.'s justices of the peace, acting in and for the ——— division in the county of ———, holden at ——— within the said division, on the ——— day of ——— one thousand eight hundred and ———, for the purpose of authorising and empowering persons to keep common inns, alehouses, or victualling-houses, we, being ——— of H. M.'s justices of the peace acting in and for the said division and county, assembled at the said meeting, do hereby authorise and empower ——— at the sign of the ——— in ——— in the division and county aforesaid ——— having produced the certificate required by law to keep a common inn, alehouse, or victualling-house, and to utter and sell in the said house wherein ——— now dwelleth, called or known by the sign of the ——— and in the premises thereunto belonging, and not elsewhere, victuals, and all such exciseable liquors as ——— shall be licensed and empowered to sell, under the authority and permission of any excise licence, which shall be duly granted by the commissioners of excise, or persons to be appointed or employed by them for that purpose; provided that the true assize in bread, beer, ale, cyder, and all other liquors, be duly kept; and that the said ——— do not fraudulently dilute or adulterate the same, or sell the same knowing them to have been fraudulently diluted or adulterated, and do not use, in uttering and selling thereof, any pots or other measures that are not of full size, and do not wilfully or knowingly permit drunkenness or tippling, or get drunk in ——— house, or other premises, nor knowingly suffer any gaming with cards, draughts, dice, bagatelle, or any other sedentary game, in ——— house, or any of the outhouses, appurtenances, or easements thereto belonging, by journeymen, labourers, servants, or apprentices; nor knowingly introduce, permit, or suffer any bull, bear, or badger-baiting, cock-fighting, or other such sport or amusement, in any part of ——— premises; nor shall knowingly and designedly, and with a view to harbour and entertain such, permit or suffer men or women of notoriously bad fame, or dissolute girls and boys, to assemble and meet together in ——— house, or any of the premises thereto belonging; nor shall keep open ——— house, nor permit or suffer any drinking or tippling in any part of ——— premises during the hours of divine service, on *Sundays*; nor shall keep open ——— house or other premises during late hours of the night or early in the morning, for any other purpose than the reception of travellers, but that good order and rule be maintained and kept therein; the authority and power hereby granted to continue in force for one whole year, from the tenth day of *October* next, and no longer.

Signed.

3. "And for the better preventing the granting of licences or authorities to unfit and improper persons, to keep alehouses or victualling houses, or to sell ale, beer, or other exciseable liquors by retail, and the occurrence of disorderly conduct in such houses;" it is enacted, That no licence or authority for such purposes shall be granted to any person not thereunto licensed or authorised the year preceding, unless such person shall produce, at the general annual meeting of the justices or magistrates to be held for that purpose, a certificate under the hands of the parson, vicar, or curate, or of the major part of the churchwardens, chapelwardens, and overseers of the poor, and of four reputable and substantial householders and inhabitants, or under the hands of eight respectable and substantial householders and inhabitants of the parish or place where the person applying for such licence or authority shall have last inhabited or dwelt for a space of six months; which certificate shall set forth the number of the house, and the name of the street, or other true description of the house, where such person so dwelt, and also whether he or she was there a housekeeper or an inmate, and whether such person, in such last-mentioned parish or place, kept an alehouse or victualling house, and if so, the sign of such house; and shall also set forth, that such person is of good fame, sober life and conversation, and a fit and proper person to be entrusted with a licence for the purposes aforesaid; and it shall be mentioned in every such licence or authority, to be granted to any person not licensed at the last general licensing day, that such certificate was produced; and in case such certificate, in the form and signed in the manner aforesaid, shall not, on the occasions aforesaid, be produced, or the licence to be granted in such last-mentioned cases shall omit to state that such certificate was so produced, such licence or authority shall be null and void; and every such certificate so required to be produced on such occasions as aforesaid, shall be annexed to the recognizance to be entered into by the person receiving or obtaining such licence or authority as aforesaid, and shall with such recognizance be sent or returned to the clerk of the peace, or person acting as such as aforesaid: Provided, that if any person shall forge or counterfeit any certificate, or write any name on any such certificate, to resemble, imitate, or represent the name of any parson, vicar, or curate, or any churchwarden, chapelwarden, overseer of the poor, or other person directed by this act to sign such certificate, with an intent to deceive the

justices of the peace granting or having power to grant such licences or authorities, or shall tender or produce any paper with such counterfeit name or writing thereupon, knowing such name or writing to be counterfeit, with intent to deceive the said justices, or shall take or receive any sum of money for signing or procuring signatures to any such certificate, every person so offending, being thereof lawfully convicted, shall be adjudged to be guilty of a misdemeanour, and shall suffer punishment accordingly, 3 G. 4. c. 77. s. 2.

4. The recognizances in the form, and with the sureties hereby [in s. 1. pl. 2.] required to be entered into on granting licences or authorities to persons to keep alehouses or victualling houses, or to sell ale, beer, or other exciseable liquors by retail, and the certificate in the form and with the signatures hereby [in s. 2. pl. 3.] required to be produced by persons not licensed for those purposes the preceding year, shall also be entered into and produced by persons applying for and obtaining such licences, &c. at any special meeting of the justices to be holden for those purposes, pursuant to the 32 G. 3. c. 59. [where licensed persons die or remove see *Stat. Dig. tit. ALEHOUSES, pl. 65—77.*] 3 G. 4. c. 77. s. 3. [See 3 G. 4. c. 77. s. 6. pl. 7.]

5. The register or calendar required by law [viz. by 26 G. 2. c. 31. s. 5. *Stat. Dig. tit. ALEHOUSES, pl. 50.*] to be kept by clerks of the peace of recognizances to be taken and returned by justices of the peace on granting such licences as aforesaid, shall contain the names and places of abode of the several sureties who enter into such recognizances; and as well the entries of the names of such sureties as of the other particulars of such recognizances already required to be registered, shall be entered by the respective clerks of the peace, or other persons acting as such, to whom such recognizances shall be returned; and that for every such recognizance there shall be paid by the clerk of the justices taking such recognizance to the clerks of the peace as their fee for filing or recording the said recognizances, and for making such entry thereof, and of the names of the sureties to be thereby bound, and for making and delivering copies of the said register as by law [26 G. 2. c. 31. s. 5. *Stat. Dig. tit. ALEHOUSES, pl. 50.*] required, the sum of two shillings, and which shall be paid to the clerks of the said justices by the persons licensed, over and above the fees payable by law to the said justices' clerks; and it shall be lawful for any person on application at all reasonable times to see, inspect, and examine every such register, on payment or tender made by the person requiring the same to such clerks of the peace of the sum of one shilling for every such inspection, 3 G. 4. c. 77. s. 4.

6. From and after the 26th July, 1822, it shall be lawful to and for the clerks to the several justices of the peace, to be assembled at any general annual meeting for the purpose of granting licences or authorities to persons to keep ale-houses, or to sell ale, beer, or other exciseable liquors by retail, in that part of the U. K. called *England*, and also at any special meeting for the like purposes, to be held pursuant to the directions of the 32 G. 3. c. 59. [*Dig. tit. ALEHOUSE, pl. 65.*] to ask, demand, and receive of and from every person to whom a licence or authority, for the purposes aforesaid, shall be granted, renewed, or continued, as and for the trouble of such clerks in filling up such licence or authority, and taking and returning the recognizance to be so entered into, the sum of 5s. and no more, over and above the fees directed [by s. 4. pl. 5.] to be paid to the several clerks of the peace, for filing such recognizances; and in case any clerk to such justices, or other person acting as such, shall demand, or take, or receive of or from any person to whom such licence or authority as aforesaid shall hereafter be granted, or renewed, or continued, as and for his fee or reward for the trouble of preparing the same, and taking and returning such recognizance as aforesaid, any further or greater fee, or reward, or recompence, than the said sum of 5s.; every person so offending shall, for every such offence, and on conviction on the oath of one credible witness, forfeit and pay the sum of 5l., to be sued for, recovered, levied, and applied in the same manner as any other pecuniary penalty imposed by this act may be sued for, recovered, levied, and applied, 3 G. 4. c. 77. s. 5.

7. From the 26th July, 1822, if any person duly licensed to keep an alehouse or victualling house, or to sell ale, beer, or other exciseable liquors by retail, in any house within that part of the U. K. called *England*, shall die before the expiration of such licence, or if any person so licensed, or the executors, administrators, or assigns of such person dying so licensed shall remove from or yield up the possession of such house, in which such ale, beer, or other liquors shall by virtue of such licence be sold, and shall assign such licence, or in case any such house shall become empty or unoccupied, the late occupier whereof was duly licensed at the last general meeting previous to the time such house became empty, &c., it shall be lawful for two or more of H. M.'s justices of peace, or persons acting as such for the county, riding, city, liberty, town corporate, or place, at a special day of meeting to be holden within and for the same division or place in

which the house shall be situate, to grant a licence or authority to the executors, &c. of the person so dying who shall be possessed of the said house, or to any new tenant or occupier upon any such removal, or upon the house becoming unoccupied as aforesaid, to open and continue open such house as an alehouse, &c. or to sell ale, beer, or other liquors by retail, as aforesaid, therein, till 10th October then next ensuing, so as the person applying for such licence, &c. shall produce such certificate, and enter into such recognizance with such surety as hereinbefore [in s. 1, 2. pl. 2, 3.] directed; and every such recognizance to be taken and entered into at such special day of meeting, and every such certificate so to be produced, shall be returned to the respective clerks of the peace in the same manner as the recognizances and certificates to be taken and produced at the said general annual meetings of the said justices are directed to be returned, 3 G. 4. c. 77. s. 6. [See 32 G. 3. c. 59. s. 1. *Dig. tit. ALEHOUSE, pl. 65.*]

8. From the 26th July, 1822, all general annual meetings of the justices or magistrates, for the purpose of granting licences to sell ale, beer, and other exciseable liquors by retail, as well in cities and towns corporate as in all other places within that part of the U. K. called *England*, shall be held in the month of September in each and every year; any local custom or usage to the contrary thereof in any wise notwithstanding, 3 G. 4. c. 77. s. 7.

9. Provided that all persons who hold licences to sell ale, beer, and other liquors by retail, which would expire at a different period of the year from that at which they will expire after the passing of this act, shall be allowed in the payment of their duties, upon the first renewal of their licences under this act, for so much of their current year as shall not have then expired, 3 G. 4. c. 77. s. 8.

10. The 26 G. 2. c. 31. s. 7. [*Dig. tit. ALEHOUSES, pl. 52.*] so far as relates to forfeitures of the recognizance of any person licensed to keep a common alehouse, or victualling house, or to sell ale, beer, or other exciseable liquors by retail, and the subsequent disability of such party on such adjudication to hold a licence for three years, shall be repealed, and so much of 1 J. 1. c. 9. as relates to penalties and punishments of innkeepers, victuallers, and alehouse-keepers for the offences therein mentioned [viz. s. 2, 3, 4. 6. *Dig. tit. ALEHOUSES, pl. 15—15. 17.*] and also so much of 7 J. 1. c. 10. [in toto, see tit. *id. pl. 18.*] and 21 J. 1. c. 7. s. 4. as disables persons to keep an alehouse for three years in the cases therein mentioned [see tit. *id. pl. 44.*] and so much of 1 Car. 1. c. 4. as relates to the penalty on alehouse-keepers, and victuallers, therein mentioned [viz. s. 1. see tit. *id. pl. 38.*] and also so much of 30 G. 2. c. 24. as relates to the penalty on persons licensed to sell any sorts of liquors in the cases therein mentioned [s. 14, 15. tit. *GAMES AND GAMING, pl. 38, 39.*] shall be repealed; and from the 26th July, 1822, every licensed person selling ale, beer, or other exciseable liquors by retail, in that part of the U. K. called *England*, who shall be lawfully convicted of any offence against the condition of any subsisting recognizance entered into by such licensed person, or against the tenor of any licence granted and now subsisting, or hereafter to be granted, or against the condition of the recognizance by this act [s. 1. pl. 2.] required to be entered into by such licensed person, or against the tenor of the licence to be granted by virtue of this act, shall for every such offence forfeit and undergo the several penalties and punishments and disabilities hereinafter mentioned and provided, instead of the several pecuniary and other punishments and disabilities which they were subject to before the passing of this act, viz. for the first offence a sum not exceeding 5l. with costs and expences of convicting the offenders; and in case the said penalty, with such costs, &c. shall not be paid within fourteen days next after such conviction, then the offender shall suffer imprisonment for one month in the common gaol or house of correction for the county, riding, city, liberty, town corporate, or place, where conviction shall take place, unless the penalty with the costs of conviction and of executing the same be sooner paid; and for the second offence a sum not exceeding 10l. with like costs, &c., and in case the same is not paid within seven days next after such conviction with like power of imprisonment in the common gaol or house of correction for two calendar months unless the penalty, with costs, &c. of conviction, and executing same be sooner paid; and for the third offence against the tenor of such licence or recognizance, it shall be lawful for one justice of peace of any county, riding, &c. wherein such licence shall be granted, and it is hereby required of him on complaint or information on oath that such licensed person hath committed such third offence, to issue a summons under his hand and seal, requiring such person so complained of or informed against for such last-mentioned offence, to appear at the next general or quarter sessions of the peace for the county, riding, &c. wherein the person so complained of or informed against shall reside, then and there to answer to the matter of such complaint and information, and also to bind the person or persons who shall make such complaint or information, or any other person or persons, in a recognizance to appear at such general or quarter session, and give evidence

against such person so complained of or informed against; and the justices of peace in their general or quarter sessions shall have power to direct the jury which shall attend at such sessions for the trial of traverses, or some other jury of twelve honest and substantial men, to be then and there impannelled by the sheriff, bailiff, or other chief officer, without fee or reward, to enquire of the misdemeanor charged in the said last-mentioned complaint or information; and if such jury shall find that the person so complained of or informed against hath committed any act against the tenor of the said recognizance, such act being specified in the said complaint or information, and such person so complained of or informed against having been twice previously convicted for offences against the tenor of the said licence and recognizance, it shall and may be lawful for the Court at such general or quarter sessions to adjudge such person guilty of a third offence against the tenor of and a breach of the said recognizance, which verdict and adjudication shall be final to all intents and purposes; and thereupon the said justices shall have power and authority to punish the party so to be convicted by fine, not exceeding the sum of 100*l.*, or at the discretion of the said Court to declare the said recognizance so entered into by the said offender to be forfeited, or immediately to adjudge the licence or authority granted to such offender to be forfeited and void; and on such last-mentioned adjudication on such verdict, such licence shall from thenceforth be void accordingly, and every licence then held by such offender to sell spirituous liquors, cyder, perry, or *British* sweets, shall thereupon also be void; and the said person, the condition of whose recognizance shall be so adjudged to be broken and forfeited, shall from and after such last-mentioned adjudication be utterly disabled to sell ale, beer, cyder, perry, spirituous liquors, or strong waters, for the space of three years, to be computed from the time of the offence committed for which such adjudication shall be pronounced; and any licence or licences granted or to be granted to such person during such term, to be computed as aforesaid, shall be void and of none effect; provided, that the said justices may, at the request of the prosecutor or party so complained of or informed against, or either of his or her sureties, and upon sufficient cause shewn, adjourn the hearing and trial of the said complaint or information to the then next general or quarter sessions of the peace, when the same shall be finally determined: Provided, that no recognizance under this act shall be declared to be forfeited, unless upon being directed so to be by the said Court of general or quarter sessions, upon such third conviction as aforesaid; and provided also, that if such licensed person or persons so complained of or informed against for such last-mentioned offence, shall not appear at the next general or quarter sessions of the peace pursuant to the summons, it shall be lawful for the justices in their general or quarter sessions assembled, on proof of the service of such summons, to enquire into the matter alleged, and on proof thereof to proceed against the person or persons so summoned and not appearing, in the same manner as if such person or persons had appeared pursuant to his, her, or their recognizance, 3 *G. 4. c. 77. s. 9.*

11. Provided, that on every such enquiry so directed to be made before a jury as aforesaid, the production of the recognizance entered into by the party complained against, or by his sureties, and filed with the clerk of the peace or person acting as such, shall be sufficient evidence of the fact of such party so complained against being a licensed victualler: Provided that if the jury to be impannelled to try the matter of such complaint or information shall, on such trial, find the party so complained of or informed against not guilty of the offence so laid to his or her charge, or if on the verdict of guilty by such jury the Court shall adjudge the offender to be punished by fine, or by declaring the recognizance to be forfeited, instead of vacating the licence of such offender as aforesaid, the party so holding or possessing such licence shall nevertheless, after such adjudication of not guilty, or punishment by fine on a verdict of guilty, be liable to the same punishment and disability as any other licensed victualler who shall have been twice convicted of offences against the condition of his or her recognizance, on any subsequent complaint or information and enquiry thereon at such court of sessions, for any offence in breach of such recognizance and licence. 3 *G. 4. c. 77. s. 10.*

12. In all cases where complaint or information shall be made against any person so licensed as aforesaid for a third offence against the tenor of his or her recognizance, the justices of the peace before whom such complaint or information shall be made, shall if they shall deem such offence to amount to a breach of such recognizance, and they are hereby required, to order the subsequent proceedings at the sessions to obtain an adjudication on such complaint or information to be carried on by the clerk, or the person acting as such, to the general annual meetings of the justices for licensing alehouses and victualling-houses for the division or place where such house shall be situated; and such clerk is hereby authorised and required to conduct such prosecution accordingly; and the expences attending such prosecution shall and they are

hereby directed to be borne and defrayed out of the rates made and levied, or to be made and levied, for the maintenance of the poor of the parish or place where such offence shall be committed, 3 *G. 4. c. 77. s. 11.*

13. It shall and may be lawful to and for two justices of the peace for the time being of the county or place where any of the offences against this act, for the commission of which pecuniary penalties are imposed, shall be committed, to hear and determine the same offences in a summary way, which same justices are hereby authorized and required upon any information exhibited or complaint made in that behalf to or before them, to summon the party or parties accused, and also the witnesses on either side, (if they shall be required to summon any such witnesses,) and upon the appearance, or contempt of the party or parties accused, by not appearing, to proceed to examine and hear the matter in a summary way, and also to examine such witnesses upon oath as shall be produced therein (which oath the said justices are hereby empowered to give and administer), and to give their judgment thereon; and in case they shall convict the party or parties so accused or complained against of the offence laid to his, her, or their charge, and such party or parties so convicted shall refuse or neglect to pay the penalty or penalties for which he, she, or they shall stand convicted within the time herein-before [in *s. 9. pl. 10.*] mentioned for that purpose, together with the costs of such conviction or convictions, to be assessed, settled, and ascertained as aforesaid [in *s. 9. pl. 10.*], that then and in every such case it shall be lawful for such justices, and they are hereby authorized and required to issue their warrant or warrants under their hands and seals for the apprehending and committing to the common gaol or house of correction as aforesaid every such offender, for such time and in such manner as the nature of the offence shall require, according to the provisions [in *s. 9. pl. 10.*] aforesaid, and the true intent and meaning of this act, 3 *G. 4. c. 77. s. 12.*

14. If any person shall be summoned as a witness to give evidence before any such justices of the peace touching any of the matters aforesaid, either on the part of the prosecutor or of the person accused, and shall neglect or refuse to appear at the time and place to be for that purpose appointed, without a reasonable excuse for such his, her, or their neglect or refusal, to be allowed of by such justices of the peace, or appearing shall refuse to be examined on oath and give evidence before such justices before whom the prosecution shall be depending, that then every such person shall forfeit for every such offence the sum of 40*s.*, to be levied and paid in such manner and by such means as are herein-before directed as to other pecuniary penalties, 3 *G. 4. c. 77. s. 13.*

15. If any person or persons shall think himself, herself, or themselves aggrieved by the judgment or conviction of any justices of the peace for any of the offences aforesaid, for the commission of which a pecuniary penalty is annexed, and shall give security to the satisfaction of such justices of the peace for the payment of the penalty, costs, and expenses to be expressed in the said conviction, within twenty-four hours after the same shall be made, that then and in every such case after such security given, and not otherwise, it shall be lawful for such offender or offenders to appeal from and against such conviction to the justices of the peace assembled at the next general or quarter sessions of the peace to be held for such county, riding, division, liberty, city, town, or place, unless such sessions of the peace shall be held within six days or less next after such conviction shall be so had or made, and in that case to the justices of the peace to be assembled at the next sessions after such first-mentioned sessions, and not afterwards; and that the justices of the peace assembled at such sessions shall thereupon proceed to hear and determine the matter of every such appeal, and their judgment thereon shall be final and conclusive to all intents and purposes whatsoever; and the justices of the peace so assembled at such sessions are hereby authorized and required to award such costs as to them shall appear just and reasonable to be paid by either party, not exceeding in the whole the sum of 5*l.* on any one appeal, 3 *G. 4. c. 77. s. 14.*

16. In order to prevent frivolous and vexatious appeals, it is enacted, that a conviction in the form or to the effect following, *mutatis mutandis*, (as the case shall happen to be), shall be good and effectual to all intents and purposes whatsoever, without stating the case, or the facts or evidence in any more particular manner; (that is to say),

Middlesex. } Be it remembered, That on this _____ day of _____ in the year _____ A. B. of _____ was duly convicted before us, C. D. and E. F., two of his Majesty's justices of the peace for the county or city of _____ of an offence against the condition of a recognizance entered into by the said A. B. on _____ obtaining a licence to sell ale, beer, or other exciseable liquors by retail, whereby he, she, or they, has or have forfeited the sum of _____ this being the first [or, second offence, as the case may happen to be] besides the costs and expences of this conviction, which costs and expences we, the said justices of the peace, do hereby ascertain and assess at the sum of _____ pursuant to the statute in such case made and provided. Given under our hands and seals, the day and year above written. 3 *G. 4. c. 77. s. 15.*

17. That on every such conviction so to be had or made as aforesaid, the justices of the peace before whom the same shall be made, shall return the same to the next quarter sessions of the peace to be holden for such county, riding, division, liberty, city, town corporate, or place, and the record of such conviction shall, unless the same shall be afterwards quashed on appeal as herein-before directed, be evidence against the party thereby convicted in any prosecution to be instituted against him, or her, or them, for a third or other offence, in the nature of a third offence, constituting or to constitute a breach of the condition of his, her, or their recognizance, entered into on obtaining a licence as herein-before directed; and the several clerks of the peace to whom such convictions shall be returned, shall immediately on such return make, or cause to be made, a memorandum or entry of such conviction in the calendar or register to be kept by them, of the names and places of abode, of the several persons so licensed as aforesaid; and shall in such entry state whether such conviction be the first or second or other subsequent conviction of the offending party, 3 G. 4. c. 77. s. 16.

18. And after the 10th October, 1823, no licence or authority shall be granted to any person whatever in that part of the U. K. called *England*, by the justices of the peace, or persons acting as such, to retail ale, beer, or other exciseable liquors, in any house or place which shall not have been used for such purpose or purposes by virtue of a licence which shall have been granted at a preceding general annual meeting of the justices, unless the person intending to apply for such licence or authority shall give notice in writing to the clerk to the justices at such general meetings, three calendar months prior to the general annual meeting of the justices of the peace for granting licences for the place in which the house shall be situated, for which such licence shall be applied for, and shall affix or cause to be affixed three copies of such notice, written in a fair and legible hand, on the principal door or most conspicuous part of the house for which such licence is intended to be applied for, and on the door of the church of the parish in which such house shall be situated, on three several days within the months of *May* or *June*, between the hours of ten of the clock in the forenoon and of four of the clock in the afternoon, and between each of which days of affixing such notices the space of seven days shall elapse; which notice, and the copies thereof so to be affixed, shall be signed by the party interested in such house, and intending to make such application as aforesaid, or his, her, or their agent, thereunto authorised; and every such notice shall state and set forth the situation of the said house in a true and particular manner, together with the rate of building thereof, where any such rate of building exists, or is prescribed, and the name, place of abode, and description of the party so applying, and also the name and place of abode of the person proposed to be licensed therein; and every licence to be granted to sell ale, beer, or other liquors by retail, in such new house or other place, not having been used for any of the purposes aforesaid by virtue of a licence granted the preceding year, without such previous notice having been given as aforesaid, shall be void to all intents and purposes. 3 G. 4. c. 77. s. 17.

19. And whereas it is expedient that persons empowered to grant licences by virtue of this act should not be swayed by interest in the execution of such powers; be it therefore enacted, That no justice of the peace or magistrate in any county, riding, city, liberty, town corporate, or place, in that part of the U. K. called *England*, who is a brewer, maltster, distiller, or dealer in or retailer of ale, beer, or other exciseable liquors, or is concerned in partnership with any person as a brewer, maltster, distiller, or dealer in or retailer of ale, beer, or other exciseable liquors, or shall be the manager or agent of or for any house, licensed or about to be licensed for any of the purposes aforesaid, at any of the time or times when any of the powers of this act are to be executed, shall act in any of the meetings for granting of any licence or licences, authority or authorities, or shall convict or join in any conviction, or in the determination of any application for a licence or authority to a person to keep any house not before licensed, or in the determination of any appeal directed by this act; and every justice of the peace or magistrate who shall knowingly or wilfully offend in any of the premises, shall for every such offence forfeit and pay the sum of 100*l.*, to be recovered by any person who will sue for the same, within six calendar months after such offence committed, by action of debt or on the case, or by bill, suit, or information, in any of his majesty's courts of record, wherein no essoign, &c. and only one imparlance shall be allowed; which said penalty of 100*l.* shall be paid, one moiety thereof to the person who sues for the same, and the other to the king, 3 G. 4. c. 77. s. 18.

20. From and after the 10th day of *October*, 1823, all and every person and persons using and exercising, or that hereafter shall use and exercise the trade or business of a licensed victualler or alehousekeeper, or who shall sell ale, beer, or other exciseable liquors by retail, by virtue of any licence or authority, already granted or hereafter to be granted by the justices of the peace in that part of the U. K. called *England*, for so long

as he or they shall use and exercise the said trade or business, or shall hold such licence or authority, and no longer, shall at all times hereafter be disqualified from serving the office of constable, headborough, police-officer, or patrol: and if at any time hereafter any such person or persons using the said trade or business, or holding and using such licence or authority shall be chosen or elected into the office of constable or headborough, that then such person or persons producing such licence or authority, duly issued pursuant to the provisions of this act, or of any other act, law, or charter now in force, to the person or persons by whom he shall be so elected or appointed, or by or before whom he shall be summoned, returned, or required to serve or hold the said office of constable, shall be absolutely discharged from the same: and such nomination, election, return, or appointment, shall be utterly void and of none effect, nor shall any such person using or exercising the said trade or business of a licensed victualler, or to whom any such licence or authority shall be granted for the purposes aforesaid, while he shall so exercise the said trade, or hold and use such licence or authority, take upon himself, or serve, or execute the office of deputy to any constable already chosen, or hereafter to be chosen and elected to that office, within that part of the U. K. called *England*, on pain of forfeiting, for every act to be done, committed, or executed by him as or in the character of deputy to any such constable as aforesaid, the sum of 10*l.*, to be recovered in manner hereinbefore directed [in s. 12. pl. 13.] 3 G. 4. c. 77. s. 19.

21. From and after the 10th *October*, 1822, all persons keeping common inns, alehouses, or victualling houses, and retailing ale and beer, shall sell the same in and from their houses by a full ale quart, pint, or half-pint, made of pewter, sized to the standard, and stamped or marked to be of due size according to the standard, either from the exchequer or from some city, town corporate, borough, or market town, where an ale quart, pint, or half-pint, made from the said standard, shall be kept for that purpose; and shall not retail any ale or beer in any other vessels than such stamped pewter ale quarts, pints, and half-pints, unless such ale or beer shall have been first measured in and by such stamped pewter ale quart, pint, or half-pint, in the presence of the guest or customer purchasing the same, under pain of forfeiting for every offence a sum not exceeding 40*s.* (together with the costs of conviction), to be recovered within 30 days next after the committing of such offence, before any two justices of the peace acting for the county or place in which such offence shall have been committed, the one half to be paid to the person who shall prosecute or sue for the same, and the other half to the poor of the parish or place where such offence shall have been committed; and in case of the non-payment thereof, they shall cause the same to be levied upon goods and chattels of the offender, by warrant of distress under their hands and seals, 3 G. 4. c. 77. s. 20. [See 11 & 12 W. 3. c. 15. 12 & 13 W. 3. c. 11. s. 19. Stat. Dig. tit. BEER, & pl. 18. and post, tit. WEIGHTS, &c.]

22. From the 26th *July*, 1822, if any brewer or wholesale dealer in ale or beer, in that part of the U. K. called *England*, shall sell and deliver to any innkeeper, alehouse-keeper, victualler, or other person whomsoever, any ale or beer, in barrels, casks, or other vessels which shall not be able to contain the full quantity of ale or beer, for which the said brewer or wholesale dealer in ale or beer shall charge the purchaser thereof, such brewer or wholesale dealer in ale or beer, shall forfeit and pay a sum not exceeding 5*l.* for every such barrel, cask, or other vessel so deficient in size as aforesaid, together with the costs of conviction, to be recovered by information before one justice of the peace, within 30 days next after the making of such charge, who, in case of the non-payment thereof, shall cause the same to be levied upon the goods and chattels of the party so offending, 3 G. 4. c. 77. s. 21. [See 31 El. c. 8. Dig. tit. BEER, pl. 8. 23 H. 8. c. 4. Dig. tit. COOPER, pl. 11. &c. and post, tit. WEIGHTS, &c. 5 G. 4. c. 74. s. 23.]

23. All fines, penalties, and forfeitures imposed by this act, and for which no other means for recovering thereof are hereby provided, may be sued for and recovered by action of debt, bill, plaint, or information, in any of H. M.'s courts of record at *Westminster*, and one moiety of all and every fine, penalty, or forfeiture by this act imposed, and not expressly directed to be otherwise applied, shall be to H. M. and the other to him or them who shall inform, discover, or sue for the same, 3 G. 4. c. 77. s. 22.

24. Nothing herein contained, shall extend to alter the time of granting licences for keeping common inns or alehouses in the city of *London*, 3 G. 4. c. 77. s. 23.

25. Nothing in this act contained is intended to repeal any former act of Parliament made in this behalf except only so far as the same or any of the provisos and enactments thereof have been expressly repealed, altered and amended by this act, 3 G. 4. c. 77. s. 24.

26. Nothing in this act shall extend to alter or affect any of the rights or privileges of the Universities of *Oxford* or *Cambridge*, or the powers of the chancellors or vice-chancellors of the same as by law possessed under the respective charters of the said universities, 3 G. 4. c. 77. s. 25.

ALIENS.

STATUTES *expired*.

1. To prevent aliens until 25th March, 1819, from becoming naturalised or being made or becoming denizens, except in certain cases, 58 G. 3. c. 97. [CON. 60 G. 3. c. 12. 1 G. 4. c. 18. and finally till 25th March, 1823, by 3 G. 4. c. 15. now EXP. See *Stat. Dig.* tit. ALIENS, *pl.* 71.]

STATUTES *in force*.

2. To continue for two years the 56 G. 3. c. 86. [*Stat. Dig.* tit. ALIENS, *pl.* 47.] for establishing regulations respecting aliens arriving in or resident in this kingdom, in certain cases. 3 G. 4. c. 97. CON. and AMD. 5 G. 4. c. 37.

3. The 56 G. 3. c. 86. as continued by 58 G. 3. c. 96. and 1 G. 4. c. 105. further continued for two years, 3 G. 4. c. 97. and again further continued for two years from the expiration of 3 G. 4. c. 97. by 5 G. 4. c. 37. s. 1.

4. Nothing in 56 G. 3. c. 86. or this act, shall extend to any alien who has been continually residing in this kingdom for a period of seven years, 3 G. 4. c. 37. s. 2.

ANNUITIES (LIFE).

1. To explain 53 G. 3. c. 141. respecting the enrolment of the memorials of grants of annuities, 5 G. 4. c. 92. [*Stat. Dig.* tit. ANNUITY, *pl.* 10.]

2. Reciting 53 G. 3. c. 141. s. 2. [*Dig.* tit. ANNUITY, *pl.* 11.] and that doubts were entertained whether the addition of the witnesses was not also necessary after their names in memorials enrolled pursuant to the said act, *it enacts* That by the 53 G. 3. c. 141. no further or other description of the subscribing witness or witnesses, to any deed, bond, instrument or other assurance whereby any annuity or rent-charge is or may be granted, is required in the memorial thereof, besides the names of all such witnesses; and so the said act shall be deemed, construed, and taken, 3 G. 4. c. 92. s. 1.

3. And whereas doubts have also arisen whether under 53 G. 3. c. 141. the omission to enrol a memorial of any one of the assurances for securing any annuity or rent-charge, does not vitiate the whole transaction, *be it enacted*, that every deed, bond, instrument or other assurance granting any annuity or rent-charge, and of which a memorial shall have been or shall be duly enrolled pursuant to the said act, notwithstanding the omission to enrol any other deed, &c. shall be valid and effectual according to the intent, meaning, and true effect thereof, notwithstanding a memorial of any other deed, &c. for securing the same annuity shall not have been enrolled pursuant to the said act, 3 G. 4. c. 92. s. 2.

4. Provided nothing herein shall extend to give any other force or validity to any deed, &c. of which a memorial has been enrolled, than such deed, &c. would have had, if any deed, &c. for securing the same annuity of which a memorial has not been enrolled, had never been executed, 3 G. 4. c. 92. s. 3.

5. Provided this act shall not extend to revive or give effect to any deed, &c. whereby any annuity or rent-charge hath been already granted, so far as the same hath been adjudged, declared, treated or deemed void by any judgment, decree, action, suit or proceeding at law or in equity, or by any acts or deeds of the parties thereto, or by any other legal or equitable means whatsoever; nor shall this act affect any suit or proceeding at law or in equity commenced on or before 31st May, 1822, and now depending, on the ground of an alleged defect in the memorial thereof in not describing the witnesses otherwise than by their names for avoiding any such deed, &c. 3 G. 4. c. 92. s. 4.

APPRENTICES.

1. To increase the power of magistrates in cases of apprenticeships, 4 G. 4. c. 29.

2. Reciting that by 20 G. 2. c. 19. s. 3. [*Stat. Dig.* tit. APPRENTICE, *pl.* 14.] magistrates had certain powers in cases of poor apprentices and of other apprentices upon whose binding no more than 5*l.* was given, and that by 3 G. 3. c. 55. [*Stat. Dig.* tit. JUSTICES OF PEACE, *pl.* 127.] certain powers are given to justices of the peace, in case of apprentices put out by the parish, or upon whose binding no greater sum than 10*l.*

was given, on complaints of ill-usage by their masters or mistresses, and that it was expedient to extend the said acts to apprentices upon whose binding a larger sum than 5*l.* or 10*l.* was paid, *it enacts* That from and after 1st August, 1823, the provisions of the said acts so far as they relate to apprentices, shall be deemed to extend to all apprentices upon whose binding out no larger sum than 25*l.* was or shall be paid, 4 G. 4. c. 29. s. 1.

3. From 1st August, 1823, it shall be lawful for two or more of H. M.'s justices of peace, in any case where they shall direct any apprentice or apprentices to be discharged under the said acts, or this act, to take into consideration the circumstances under which such apprentice was so discharged, and to make order upon the master or mistress of such apprentice to refund all or part of the premium paid upon the binding out of such apprentice, as such justices shall think fit; and in case any sum of money so ordered to be refunded shall be neglected to be paid to the person directed in any such order to receive the same, it shall be lawful for two justices in petty sessions, by warrant under their hands and seals, to levy the same on the goods and chattels of such master or mistress, with the costs of such distress, rendering the overplus to such master or mistress upon demand; and in case there shall not be sufficient goods whereon to levy the same, such justices may commit such offender to the house of correction for not exceeding two months, unless the sum ordered to be refunded with all costs is sooner paid, 4 G. 4. c. 29. s. 2.

4. The recited acts and all the powers and provisions thereof (except such parts are hereby altered or repealed), shall be as good, valid, and effectual for carrying this act in execution, as if here repeated, 4 G. 4. c. 29. s. 3.

5. To enlarge the powers of justices in determining complaints between masters and apprentices, 4 G. 4. c. 34. s. 1. 2. 6. [See the rest of this act, s. 3. 4. 5. tit. LABOURERS.]

6. Reciting the title of 20 G. 2. c. 19. [*Dig.* tit. APPRENTICES, *pl.* 14. tit. LABOURERS, *pl.* 24.] 6 G. 3. c. 25. [tits. *id.* *pl.* 20—23. *pl.* 17, 18.] and 4 G. 4. c. 29. and that it is expedient to extend the powers of the said acts; *enacts* That it shall be lawful, not only for any master or mistress, but also for his or her steward, manager, or agent, to make complaint upon oath against any apprentice, within the meaning of the said acts, to any justice of peace of the county or place where such apprentice shall be employed, of or for any misdemeanor, misconduct, or ill behaviour of any such apprentice; or if such apprentice shall have absconded, it shall be lawful for any justice of peace of the county or place where such apprentice shall be found, or shall have been employed, and on complaint thereof made on oath by such master, mistress, steward, manager, or agent, which oath the said justice is hereby empowered to administer, to issue his warrant for apprehending every such apprentice; and further, to hear and determine the same complaint, and to punish the offender by abating the whole or any part of his, or her wages, or otherwise by commitment to the house of correction, there to remain and be held to hard labour, for a reasonable time, not exceeding three months, 4 G. 4. c. 34. s. 1.

7. All complaints, differences, and disputes which shall arise between masters or mistresses and their apprentices, within the meaning of the said acts, or any of them, concerning any wages which may be due to such apprentices, may be heard and determined by one or more justices of the peace of the county or place where such apprentice or apprentices shall be employed, which said justice or justices is and are empowered to examine on oath any such master or mistress, apprentice or apprentices, or any witness or witnesses, touching any such complaint, difference, or dispute, and to summon such master or mistress to appear before him or them at a reasonable time to be named in such summons, and to make such order for payment of so much wages to such apprentice or apprentices, as according to the terms of the indentures shall appear to such justice or justices, under all the circumstances of the case, to be justly due (provided that the sum in question do not exceed 10*l.*), the amount of such wages to be paid within such period as the said justice or justices shall think proper, and shall order the same to be paid; and in case of refusal or nonpayment thereof, such justice and justices shall and may issue forth his and their warrant, to levy the same by distress and sale of the goods and chattels of such master or mistress, rendering the overplus to the owners, after payment of the charges of such distress and sale, 4 G. 4. c. 34. s. 2.

8. Nothing in this act shall impeach or lessen the jurisdiction of the chamberlain of the city of London, or of any other court within the said city, touching apprentices, 4 G. 4. c. 34. s. 4.

9. How apprentices shall recover their wages in case of the absence of their masters, &c. On complaint to any justice under 20 G. 2. c. 19 and 31 G. 2. c. 11. s. 3. [*Stat. Dig.* tit. LABOURERS, *pl.* 25.] he may order their wages to be paid within any time they think fit, 3 G. 4. c. 34. s. 4. 5. [See the sections at length, *post*, tit. LABOURERS.]

APOTHECARIES.

1. To amend and explain 55 G. 3. c. 194. [*Stat. Dig.* this title, *pl.* 4.] for the better regulating the practice of Apothecaries throughout *England* and *Wales*, 6 G. 4. c. 133. [to be in FORCE until 1st August 1826. s. 11. PUBLIC clause, s. 12.]

2. Whereas 55 G. 3. c. 194. was passed: and whereas doubts have arisen as to some of the provisions of the said act: and whereas by the said act [*s.* 3. *pl.* 7.] power is given to the master, wardens, and society of the art and mystery of apothecaries of the city of *London* for the time being, and their successors, or any of the assistants, or any other person properly qualified, to be by the master and wardens nominated to go and enter into any shop of any person whatever, using or exercising the art and mystery of an apothecary in *England* and *Wales*, for the purpose of searching, surveying, proving, and determining if the medicines, &c. therein contained, be wholesome, meet, and fit for the cure, health, and ease of H. M.'s subjects: and whereas there is not any form set forth in or provided by the said recited act, according to which such appointment for the purposes aforesaid should be made, and in consequence thereof in some cases the persons appointed by the said master and wardens to go and enter into the shops of persons using the art and mystery of apothecaries have met with difficulty in obtaining admission thereto, and it is expedient that such doubts should be removed: and whereas the said act requires to be amended in other respects, for the more effectually carrying into execution the beneficial purposes thereof: be it enacted That from and after the passing of this act [6th July, 1825], all appointments which shall be made by the master and wardens of the said society of the art and mystery of apothecaries of the city of *London*, in pursuance of the said recited act, of any persons, to go and enter into the shops of any person or persons using the art and mystery of an apothecary in any part of *England* and *Wales*, for the purpose of searching, surveying, and proving whether the medicines, wares, drugs, or any thing or things whatsoever in such shop contained, and belonging to the art or mystery of an apothecary, be wholesome, meet, and fit for the cure, health, and ease of H. M.'s subjects, shall be in the form herein-after stated, and shall be sealed with the common seal of the said society, and shall, on being produced to any person at the shop, or dwelling-house having a shop therein, of any apothecary in any part of *England* or *Wales*, by the persons therein appointed, who in pursuance and by virtue thereof shall require to enter such shop for the purpose of examining the medicines, drugs, wares, and other things therein contained, in pursuance of the said recited act, be deemed to be sufficient evidence of the appointment of the persons in such appointment named for the purposes therein expressed, 6 G. 4. c. 133. s. 1.

Form of the Appointment.

'We, A. B., master of the society of the art and mystery of apothecaries of the city of *London*, and C. D. and E. F., the wardens thereof, do hereby, in pursuance of the power vested in the master and wardens for the time being of the said society of apothecaries, by an act passed in the fifty-fifth year of the reign of His late Majesty King George the Third, intituled *an act for better regulating the practice of apothecaries throughout England and Wales*; and also, in pursuance of an act passed in the sixth year of the reign of His Majesty King George the Fourth, intituled *an act to explain and amend an act passed in the fifty-fifth year of the reign of His late Majesty King George the Third, intituled 'an act for better regulating the practice of Apothecaries throughout England or Wales'*, appoint G. H. and I. K., being persons duly qualified as required by the said recited act passed in the said fifty-fifth year of the reign of his late Majesty King George the Third as aforesaid, to enter into the shops of such persons as now carry on the art or mystery of an apothecary in ——— and in such other places in *England* or *Wales* as they shall think fit, and to examine, search, survey, and prove the medicines, wares, and drugs, and other things in such shops contained, according to the terms, provisions, and powers given and contained in and by the said act of the fifty-fifth of George the Third for that purpose. In witness whereof the common seal of the said society is hereunto affixed, this ——— day of ———.'

3. And whereas doubts have arisen, whether the master, wardens, and court of assistants of the said society of apothecaries, or the major part of them, can appoint or elect any person or persons who are members of the said court of assistants (although they are duly qualified according to the said recited act) to be members of the court of examiners, directed to be from time to time appointed in pursuance of the said recited act: and whereas it would be useful and expedient, that a limited number of persons, being members of the said court of assistants of the said society, duly qualified pursuant to the said recited act, should be eligible to be chosen and appointed to be members of the said court of examiners; be it therefore enacted, That from and after the passing of this act [6th July, 1825], it shall and may be lawful to and

for the said master, wardens, and court of assistants of the said society of apothecaries, or the major part of them, from time to time to elect and appoint any member or members of the court of assistants of the said society (not exceeding four persons in the whole), duly qualified according to the said act to be members of the court of examiners, directed in and by the [*s.* 9. *pl.* 13.] said recited act to be from time to time appointed: provided nevertheless, that the master and the wardens of the said society for the time being shall be in all cases incapable of being elected as members of the said court of examiners; and any person or persons who shall after his or their election to be a member of the said court of examiners, be chosen and appointed to be either master of the said society of apothecaries, or senior warden or junior warden thereof, shall *ipso facto* vacate his seat in the said court of examiners, and be incapable of being re-elected, until he shall have ceased to be master or senior or junior warden of the said society. 6 G. 4. c. 133. s. 2.

4. And whereas doubts have arisen whether the oath or affirmation directed by the said recited act [*s.* 11. *pl.* 15.] to be taken and subscribed by all persons who shall from time to time, in pursuance of the aforesaid act, be chosen and appointed to be members of the court of examiners, before they can act as examiners, can be administered by the master and wardens of the said society, or whether such oath or affirmation must be administered by the master, wardens, and court of assistants of the said society, or the major part of them; and it would be convenient that power should be given, as well to the master and wardens of the said society of the art and mystery of apothecaries for the time being, or to the master and one of the wardens of the said society for the time being, as to the master, wardens, and court of assistants of the said society, or the major part of them, to administer the said oath or affirmation so directed to be taken and subscribed by all persons who shall be appointed to be members of the said court of examiners, before they can act as examiners; it is therefore enacted, That from and after the passing of this act [6th July, 1825], it shall and may be lawful to and for the master and wardens of the said society for the time being, or for the master and one of the wardens, and court of assistants of the said society, or the major part of them, and they are hereby respectively authorised, required, and empowered, to administer to all persons who shall from time to time be, by the master, wardens, and court of assistants of the said society, or the major part of them, chosen and appointed to be members of the said court of examiners, by virtue of the said recited act, the oath or affirmation directed by the said act to be taken by all persons who shall in pursuance of that act be from time to time appointed to be members of the court of examiners, before they can act as examiners, 6 G. 4. c. 133. s. 3.

5. And whereas many persons who have heretofore held, and now do or who hereafter shall hold commissions in H. M.'s service as surgeons, either in H. M.'s navy, or as surgeons or apothecaries in H. M.'s army, cannot commence practice as apothecaries in any part of *England* or *Wales*, without being examined by the court of examiners appointed in pursuance of the aforesaid recited act, or being liable to the penalties thereby imposed on persons who, not having been in practice as apothecaries on the 1st August, 1815, shall commence to act or practise as apothecaries without having been examined, and received certificates of their qualification, pursuant to the said recited act: and whereas it is expedient to provide a remedy in that behalf; it is therefore enacted, That every person who heretofore has held, or who now holds, or hereafter shall hold a commission or warrant as surgeon or assistant surgeon in H. M.'s navy, or as surgeon or assistant surgeon or apothecary in H. M.'s army, or as surgeon or assistant surgeon in the service of the Honorable the *East India Company*, shall be entitled to practise as an apothecary in any part of *England* or *Wales*, without having undergone any such examination, or received any such certificate, as by the said recited act [*s.* 14. 20. *pl.* 18. 24.] is directed, and without being liable to any penalty or disability whatsoever imposed by the said recited act on persons who, not having been in practice as apothecaries on the said 1st August, 1815, without having been examined, and received certificates in the manner directed by the said recited act, commenced practice as apothecaries in any part of *England* or *Wales*; and no such person shall be obliged, in order to recover in a court of law any charges claimed by him as an apothecary, to prove that he was in practice as an apothecary on the said 1st August, 1815, otherwise than as holding a commission or warrant as surgeon or assistant surgeon in H. M.'s navy, or as surgeon or assistant surgeon or apothecary in H. M.'s army, or as surgeon or assistant surgeon in the service of the Honorable the *East India Company*; any thing in the said recited act contained to the contrary notwithstanding, 6 G. 4. c. 133. s. 4.

6. And whereas by the said recited act it is [*s.* 14. *pl.* 18.] enacted, that from and after the 1st August, 1815, it shall not be lawful for any person (except persons already in practice as such) to practise as an apothecary in any part of *England* or *Wales*, unless he shall have been

examined in the manner, and received such certificate of qualification as by the said recited act is directed: And whereas it is also thereby enacted [as in s. 20. *pl.* 24. is mentioned]: And it is also further enacted [as in s. 21. *pl.* 25. is mentioned]: And by the said recited act it is also enacted [as in s. 29. *pl.* 32. is mentioned with regard to persons in practice prior to 1st August, 1815]: And whereas it is expedient that the several terms or periods in the said act mentioned, after which persons not being at such times or periods in practice as apothecaries are required by the said recited act to be examined, or are thereby made subject to the penalties by the said act imposed on persons commencing practice as apothecaries, or assistants to apothecaries, contrary to the provisions thereof, or to prove their exemption from such penalties, should be accurately defined; it is therefore enacted, That the first mentioned exception contained in the said act shall be deemed and construed to extend to such persons only who were in actual practice as apothecaries on or before the said 1st August, 1815; and that the exception contained in the said act from the penalty of twenty pounds thereby imposed shall in like manner be construed to extend only to persons who were in actual practice as apothecaries on or before the said 1st August, 1815; and that the exception contained in the said recited act from the penalty of five pounds thereby imposed shall in like manner be construed to extend only to persons who were on or before the said 1st August, 1815, acting as assistants to apothecaries therein mentioned, or who have actually served an apprenticeship of five years to an apothecary; and that in like manner the day on which any apothecary claiming to recover any charges in any court of law or equity in *England* or *Wales* shall be obliged to prove himself to have been in practice, so as to entitle him to recover such charges without shewing that he has received a certificate of his qualification from the said court of examiners appointed in pursuance of the said recited act, shall be construed to be the said 1st August, 1815; and that the saving right contained in the said act in favour of persons who have exercised the practice of apothecaries shall be construed to extend only to and in favour of such persons who were in actual practice as apothecaries on the said 1st August, 1815, 6 G. 4. c. 133. s. 5.

7. And whereas by the said act it is enacted [as in s. 15. *pl.* 18. is mentioned]: And whereas many persons who served an apprenticeship of the like period to surgeons have received a full and competent education to enable them to practise as apothecaries, but the said court of examiners have not any power to examine such persons: it is therefore enacted, That from and after the passing of this act [6th July, 1825], it shall and may be lawful to and for the said court of examiners to examine such persons as to their fitness for or qualification to act as apothecaries, who shall produce proof of having served an apprenticeship of not less than five years to a member of the royal colleges of surgeons in *London*, in *Edinburgh*, or in *Dublin*, or to a surgeon in H.M.'s army or navy, together with proof to the satisfaction of the said court of examiners, of a sufficient medical education, and of good moral conduct, in like manner as by the said act is provided with regard to persons who have served an apprenticeship of not less than five years to an apothecary, 6 G. 4. c. 133. s. 6.

8. And whereas the authenticating the certificates of qualification of such persons as have been or as shall be examined by the court of examiners in pursuance of the aforesaid act has been attended with considerable expence, and might often be difficult of proof, if such certificates were required to be authenticated in different parts of *England* at the same time in different actions; for remedy whereof it is enacted, that from and after the passing of this act [6th July, 1825], the common seal of the said society of the art and mystery of apothecaries of the city of *London* shall be deemed to be and shall be received in every court of law or equity in any part of *England* or *Wales* as sufficient proof of the authenticity of the certificate to which such seal shall be affixed, and that the person therein named is duly qualified to practise as an apothecary in any part of *England* or *Wales*, 6 G. 4. c. 133. s. 7.

9. And whereas many persons who have been examined as to their fitness and qualification to act as apothecaries in pursuance of the said recited act by the court of examiners appointed under and by virtue thereof, have been rejected upon the first and also upon the second examination of such persons: And whereas there is not any power expressly given by the said act to the said court of examiners to admit persons who have been rejected upon their second examination: And whereas several persons who have been upon their first and second examinations deemed unfit to receive a certificate of qualification to act as apothecaries, have upon a subsequent examination received certificates of their qualification to act as apothecaries, and it would be expedient to provide a remedy in that behalf; it is therefore enacted, That from and after the passing of this act [6th July, 1825], it shall and may be lawful to and for the court of examiners who shall be appointed from time to time in pursuance of the said recited act, or the major part of them, to examine any person who has been rejected by the said

court of examiners, on the second examination of such person, from time to time as often as such person shall apply to be examined, so as such future examinations be from time to time respectively at an interval of not less than six months from the previous examination; and that all persons who have heretofore received from the said court of examiners, certificates of their qualification to act as apothecaries, upon their third or subsequent examination, shall be deemed to have been legally examined; and that the certificates which have been granted to such persons shall be deemed and taken to be as valid as if the same had been granted by the said court of examiners on the first or second examination of such persons, 6 G. 4. c. 133. s. 8. [See 55 G. 3. c. 194. s. 22. *pl.* 26.]

10. And whereas by the said recited act the penalty of five pounds is imposed on persons who shall commit certain offences in the said act specified: And whereas there are not in the said recited act specified any means whereby the said penalty of five pounds thereby imposed can be recovered; it is enacted, That all penalties of the amount of five pounds, which are imposed by the said recited act, shall be recoverable in the name of the master, wardens, and society of the art and mystery of apothecaries of the city of *London*, in any of H. M.'s courts of record in *England* or *Wales*, in the same manner, and subject to the same rules and regulations in all respects, as are in and by the said recited act declared and provided with regard to the recovery of the penalty of twenty pounds thereby imposed on certain other offences in the said recited act mentioned, 6 G. 4. c. 133. s. 9.

11. Provided that no action or suit shall be brought or prosecuted against any person, or body politic, corporate, or collegiate, for any thing done in pursuance of this act, or the said recited act, after six calendar months next after the fact committed; or in case there shall be a continuation of damages, then after six calendar months next after the doing or committing such damage shall have ceased, and not afterwards, nor until the expiration of twenty one days after notice shall have been given to or left for the person or body against whom such action is intended to be brought, under the hand of the party intending to bring such action, previously to the commencing such action; and every such action or suit shall be laid and brought in the county where the matter in dispute shall arise, and the defendant shall or may, at his election, plead specially, or the general issue, and give this act and the said recited act, and the special matter in evidence, and that the same was done in pursuance and by the authority of this act and the said recited act; and if it shall appear to have been so done, or if any such action or suit shall have been brought before the expiration of twenty one days after notice shall have been given or left as aforesaid, or after sufficient satisfaction shall have been made or tendered, or shall be brought in any other county or place than as aforesaid, then the jury shall find for the defendant; and upon such verdict, or if the plaintiff shall become nonsuit, or shall suffer a discontinuance or non-pros of his action or suit after appearance, or if a verdict shall pass against the plaintiff, or if upon demurrer or otherwise judgment shall be given against him, then the defendant shall have double costs with the usual remedy for recovering the same, 6 G. 4. c. 133. s. 10.

ASSEMBLIES.

For the more effectually preventing seditious meetings and assemblies, 57 G. 3. c. 19. [Stat. Dig. this title, *pl.* 38.] AMD. 3 G. 4. c. 33., see *post*, MALICIOUS MISCHIEF.

ATTORNIES AND SOLICITORS.

1. To amend 1 & 2 G. 4. c. 48., [See Stat. Dig. tit. ATTORNIES, &c. *pl.* 72.] for amending the several acts for the regulation of attornies and solicitors, 3 G. 4. c. 16.

2. Whereas by 1 & 2 G. 4. c. 48. [s. 4. *pl.* 75.] it is among other things enacted, that nothing in the said act contained shall extend to any person who shall take or shall have taken such degree of bachelor of law as in the said act is contained within eight years after such matriculation as in the said act is mentioned: And whereas by mistake certain words were omitted in the said proviso and enactment, be it enacted, That nothing in the said act contained shall extend or be construed to extend to any person who shall take or shall have taken such degree of bachelor of law as in the said act is mentioned, unless such person shall have taken or shall take such last mentioned degree within eight years after such matriculation as in the said act is mentioned; and that so much of the said recited act shall be repealed whereby it is provided and enacted, that nothing in the said act contained shall extend to any person who shall take or shall have taken such degree of bachelor of law within eight years after such matriculation, 3 G. 4. c. 16.

BANKS OF RIVERS, &c.

To prevent the cutting or breaking down of any river or sea-bank, 6 G.2. c. 37. s. 5. [*Stat. Dig.* this tit. *pl.* 1.] REPEALED, and new punishment awarded, 4 G.4. c.46. s.1. see *post*, OFFENCE, &c.

BANKS FOR SAVINGS.

1. To amend the several acts for the encouragement of Banks for Savings, in *England* and *Ireland*, 5 G.4. c.62.

2. Whereas 57 G.3. c.130. [*Stat. Dig.* tit. BANKS FOR SAVINGS, *pl.* 1. *et seq.*] was made, intituled *An Act to encourage the establishment of banks for savings in England*; and which act was amended by 58 G.3. c.48.; and both the said acts were amended by 1 G.4. c.83. [*Dig.* same tit. and *pl.*]; and whereas 57 G.3. c.105. was made, intituled *An Act to encourage the establishment of banks for savings in Ireland*; and whereas it is expedient that the said last mentioned act should be amended in conformity with 1 G.4. c.83., and that all the said acts should be further amended with relation to the savings banks in *England* and *Ireland*: it is therefore enacted, That from and after the 20th Nov. 1824, so much and such parts of the 57 G.3. c.105. [*viz.* s. 11. 13. 15. 16.], whereby the issuing of any debentures, by or under the authority of the commissioners for the reduction of the national debt, is authorized or required upon the payment of any money into the bank of *Ireland* to the account of the said commissioners by the trustees of any savings bank, shall, as to any such payments which shall be made into the bank of *Ireland* at any time after the 20th Nov. 1824, cease and determine, and shall be and the same is and are hereby repealed, 5 G.4. c.62. s. 1.

3. The sections 2-6 are like the sections 2-6 of 1 G.4. c.83. [*Stat. Dig.* tit. BANKS FOR SAVINGS, *pl.* 40-44.] except that where the 5 G.4. c.62. speaks of *Ireland*, or the bank of *Ireland*, the 1 G.4. c.83. speaks of *England*, or the bank of *England*. The 5 G.4. c.62. s. 7. & 8. are like 1 G.4. c.83. s. 8, 9. [*tit. id. pl.* 46, 47.] with the like exception.

4. Provided, that if at any time between 17th June 1824, and 20th Nov. 1824, the trustees of any savings bank in *Ireland* shall require any payment to be made in part or on account of any debenture, whether an original debenture or a renewed debenture, it shall be lawful for the said trustees to require, and for the officer of the said commissioners to issue, a receipt for the whole of the principal and interest which shall remain due on any such debenture, after deducting the payment required to be made thereon; and the sum of money specified in such receipt shall be carried to the account of the trustees of such savings banks, in like manner as is herein-before [*s. 2. Stat. Dig. tit. BANKS FOR SAVINGS, pl. 40.*] provided and directed with respect to receipts to be issued at any time after the said 20th Nov. 1824. 5 G.4. c.62. s. 9.

5. The 5 G.4. c.62. s. 10. is like 1 G.4. c.83. s. 13. with the like exception, as in *pl.* 3. [*Dig. tit. BANKS FOR SAVINGS, pl. 50.*]

6. Provided, that it shall not be lawful for the trustees of any savings banks, in *England* or *Ireland*, to apply or dispose of any increased stock or property belonging to any such savings bank, to and amongst the depositors therein, under the authority of this act or of 1 G.4. c.83. for amending the acts for the encouragement of banks for savings in *England*, until after the expiration of ten years from the date of the first institution or establishment of any such savings bank respectively; and that no further application or disposition of such increased stock or property shall be made, until after the expiration of ten years next after the time when any previous application shall have been made; and that before any such application or disposition shall take place, one-half part at least of the amount of such increased stock or property shall be set apart for the purpose of meeting any deficiency which at any time may arise and which may require to be provided for; and that no such application or distribution shall at any time take place, unless notice of the intention of the making such application or division shall be given to the commissioners for the reduction of the national debt, thirty days previous to the making such application or division, stating in such notice the amount intended to be applied or distributed; and such notice shall be given in writing, signed by not less than five of the trustees or managers of the savings bank with respect to which such application or division shall be intended to be made, 5 G.4. c.62. s. 11. [*See 1 G.4. c.83. s. 13. Stat. Dig. tit. BANKS FOR SAVINGS, pl. 50.*]

7. The 5 G.2. c.62. s. 12. is like 1 G.4. c.83. s. 14. [*Stat. Dig. tit. BANKS FOR SAVINGS, pl. 51.*] with the like exception as in *pl.* 3.

8. In case any debenture which shall have been issued under the authority of 57 G.3. c.105. for the establishment of savings banks in *Ireland*, at any time after the 17th June 1824, shall have been or shall be lost, destroyed, or defaced, it shall be lawful for the said commissioners for the reduction of the national debt, on application by any three trustees on behalf of the savings bank on whose account such

debenture was originally issued, and upon proof on oath or otherwise, to the satisfaction of the said commissioners, of the date, contents, and value of such debenture, and of the circumstance of the loss, destruction, or defacing thereof, to direct and order the officer of the said commissioners to issue to the person making such application (upon their giving and entering into such security as shall be required and directed by the said commissioners, in case the said commissioners shall think any such security to be requisite,) a receipt carrying interest as aforesaid, according to the directions contained in this act, for a sum of money equal in amount to the principal and interest due on such debenture so lost, destroyed, or defaced, and in lieu of such debenture and the principal and interest due thereon; and such sum of money shall be subject to all the regulations contained in this act and the said recited act, as the same is altered or amended by this act, 5 G.4. c.62. s. 13.

9. The 5 G.4. c.62. s. 14. is like 1 G.4. c.83. s. 16. [*Stat. Dig. tit. BANKS FOR SAVINGS, pl. 25.*] with the like exceptions as in *pl.* 3.

10. From 17th June 1824, it shall be lawful for the trustees of any savings bank in *Ireland*, to pay into the bank of *Ireland* any sum of money, not being less than fifty pounds, to the account of the commissioners for the reduction of the national debt, in like manner, and for the like purposes, as such trustees by the 57 G.3. c.105. for the encouragement of such banks in *Ireland*, are empowered or enabled to pay any sum of money, not being less than 100*l.*, 5 G.3. c.62. s. 15.

11. Provided, that all interest upon any debenture or debentures which shall have been issued in *England* or *Ireland*, at any time before the 20th Nov. 1824, under any of the said herein-before recited acts, shall cease and determine on and from the 20th Nov. 1824; and that no sum of money shall be placed to the credit of any savings bank for interest for any time subsequent to such 20th Nov. 1824, upon or in respect of any such debenture or debentures which may be outstanding on 20th Nov. 1824, any thing in the said recited act, or this act, to the contrary notwithstanding, 5 G.4. c.62. s. 16.

12. In case one or more trustee or trustees of any savings bank in *England* or *Ireland* respectively, who shall have made, given, signed and executed any appointment under 1 G.4. c.83. s. 4. [*Stat. Dig. tit. BANKS FOR SAVINGS, pl. 42.*] or of this act, or in case any one or more other trustee or trustees of any such savings bank, shall at any time appear in person at the office of the said commissioners in *England* or *Ireland*, and require payment of any sum of money which might be required by the person authorised to receive the same by such appointment, or if any trustee of any savings bank shall appear in person where no such appointment shall have been made, and so appearing shall produce a draft or order signed by two or more trustees in *England*, or three in *Ireland*, no such trustee or trustees, being himself or themselves the party or parties who signed the draft, and if the identity of the person of the trustee or trustees so appearing shall be satisfactorily ascertained, it shall be lawful for the officer to direct payment to be made to such trustee or trustees so appearing, of any sum required to be paid by such draft or order, in like manner as if the person or persons authorised by such appointment to receive the same had required such payment, anything in 1 G.4. c.83. or this act to the contrary notwithstanding, 5 G.4. c.62. s. 17.

13. From 17th June 1824, it shall be lawful for the trustees and managers of any savings bank in *England* or *Ireland* respectively, to pay any sum of money not exceeding in the whole 20*l.*, exclusive of interest thereon, which any depositor in the funds of any such savings bank shall die possessed of or entitled to, at any time after the decease of any such depositor, in case such trustees shall be satisfied that no will was made and left by such deceased depositor, and that no letters of administration will be taken out of the goods and chattels of such depositor; and such payment shall be made to such person as such trustees are by stat. 57 G.3. c.130. s. 24. [*See Stat. Dig. tit. BANKS FOR SAVINGS, pl. 26.*] authorised to make payment, if no will shall be proved, or no letter of administration taken out within six calendar months after the death of such depositor, 5 G.4. c.62. s. 18.

14. Whenever any trustees or managers of any savings bank in *England* or *Ireland* shall at any time after the decease of any depositor have paid and divided any such sum of money not exceeding 20*l.*, to or amongst any person or persons who shall at the time of such payment appear to such trustees or managers to be entitled to the effects of any deceased intestate depositor, according to the statute of distributions or according to the rules and regulations of any such savings bank, the payment of any such sum or sums of money shall be valid and effectual, with respect to any demand of any other person or persons as next of kin to such deceased intestate depositor, or as the lawful representative or representatives of such depositor, against the funds of such savings bank, or against the treasurers or trustees or managers thereof; but nevertheless such next of kin or representatives shall have remedy for such money so paid as aforesaid against the person or persons who shall have received the same, 5 G.4. c.62. s. 19.

15. From and after 20th Nov. 1824, the 57 G. 3. c. 105. s. 20. 22. *Ire.* and so much of stat. 57 G. 3. c. 130. [viz. s. 19. *Stat. Dig.* tit. BANKS FOR SAVINGS, pl. 20.] whereby it is provided, that the amount to be received by any such bank from any one person shall not exceed the sum of 100*l.* in the first year, and 50*l.* in every year afterwards, in the whole from each depositor; and also so much of stat. 58 G. 3. c. 48. [viz. s. 14., see *Stat. Dig.* tit. *id.* pl. 36.] whereby it is provided, that the sums paid into any such bank by any such person who shall pay or subscribe any sum by ticket or number or otherwise, shall not exceed the sum of 10*l.* in any one year, shall from and after 20th Nov. 1824, be repealed; and from and after the said 20th Nov. 1824, no sums shall be paid or subscribed into any savings bank in *England* or *Ireland* by any person or persons, by ticket or number or otherwise, without disclosing his or her name to the trustees of such savings bank, 5 G. 4. c. 62. s. 20.

16. From 20th Nov. 1824, it shall not be lawful for the trustees of any savings bank in *England* and *Ireland* respectively, to receive from any one depositor any sum exceeding 50*l.* in the whole, during the year next ensuing such 20th Nov. 1824, or exceeding 30*l.* in the whole, exclusive of interest, in any one year afterwards ending on the 20th Nov.; nor to receive from any depositor any sum of money whatever which shall make the sum to which such depositor shall be entitled exceed 200*l.* in the whole, exclusive of interest, 5 G. 4. c. 62. s. 21.

17. Provided, that where it shall happen that any depositor, in the course of the year next ensuing 20th Nov. 1824, shall have subscribed any sum or sums not exceeding 50*l.* in the whole, or that any depositor in the course of any year afterwards ending on the 20th Nov. shall have subscribed any sum not exceeding 30*l.*, exclusive of interest, it shall be lawful for such depositor from time to time to withdraw such sum so subscribed, or any part thereof, out of and from such savings bank, and again to deposit in the same savings bank the same or any other sum or sums not exceeding the several amounts aforesaid, at any time during the course of every such year respectively, so nevertheless that such depositor shall not at the end of any such year, or at any one time in the course of any such year, be possessed of or entitled in the whole to more, exclusive of interest, than the several sums by this act allowed to be received from such depositor at the end of such year, 5 G. 4. c. 62. s. 22.

18. It shall be lawful for the trustees of any savings bank in *England* or *Ireland* to receive from any person acting as trustee or trustees on behalf of any depositor, any sum not exceeding the annual amount herein-before [s. 21. pl. 16.] mentioned; provided that such trustee or trustees shall make such declaration on the behalf of himself or themselves, and also on behalf of such depositor, and subject to the like conditions as by this act is required in the case of any person making any deposit on his or her own account; and all deposits made by any such trustees shall be inserted in the books of such savings bank, in the joint names of such trustee or trustees, and of the person on whose account such sum shall be so deposited; and the receipt and receipts of such trustee or trustees, or the survivor of them, or the executors or administrators of any sole trustee or surviving trustee, shall be as good and effectual to all intents and purposes as the receipt and receipts of the person on whose account such sum shall be so deposited, 5 G. 4. c. 62. s. 23.

19. From and after 17th June 1824, so much and such part of stat. 1 G. 4. c. 83. [viz. s. 12. *Stat. Dig.* tit. BANKS FOR SAVINGS, pl. 9.] shall be repealed, whereby it is enacted that it shall be lawful for the trustees of any charitable institution or society in *England* from time to time to subscribe the whole or any part of the funds of such institution or society into the funds of any savings bank; and so much and such part of the said recited act shall be and the same is hereby repealed accordingly.

20. It shall not be lawful for any person or persons who shall have made any deposit in or any subscription to, or who shall be entitled to any benefit from the funds of any savings bank in *England* and *Ireland*, to make any deposit in or to subscribe any sum into the funds of any other savings bank in *England* or *Ireland*; and that every person desirous of making any deposit in or any subscription to any savings bank, shall at the time of making the first deposit in any savings bank next after 20th Nov. 1824, and at such other time or times as such depositor shall be required so to do by the trustees or managers of any such savings bank, sign a declaration in such form as shall be directed or approved of by the commissioners for the reduction of the national debt, or their proper officer, that the person or persons, on whose behalf any such first deposit or subscription shall be required to be made, is not or are not entitled to any deposit or any such subsequent deposit or subscription in, or any benefit from, the funds of any savings bank in *England* or *Ireland*, other than that into which such deposit or subscription shall be made; and in case any such declaration shall not be true, or if any person shall at any time have or hold or be possessed of any deposit or funds in more than one savings bank within

the U. K., every such person shall forfeit and lose all right and title to any deposit in or to any funds of any and every such savings bank, and the managers and trustees of such savings bank shall and they are hereby required in such case to close the account of such depositor, and to cause the sum or sums so forfeited to be forthwith paid into the bank of *England* or bank of *Ireland*, as the case may be, to the account of the commissioners for the reduction of the national debt, standing in the books of the governor and company of the said banks respectively, under the title of "The account of the commissioners for applying certain sums of money annually to the reduction of the national debt;" and the cashier and cashiers of the said governor and company is and are hereby required to receive all such sums, and to place the same to the said account, to be applied in like manner as all other money placed to the said account; and every such declaration so made shall be filed and kept and preserved by the trustees of every such savings bank; and a printed notice of such regulation and prohibition shall be affixed in the office or place appointed for the receiving of deposits to any savings bank, in such form as the commissioners for the reduction of the national debt, or their proper officer, shall from time to time direct, or require, or approve, 5 G. 4. c. 62. s. 25.

21. Provided, that at any time after the passing of this act, it shall be lawful for any depositor in any savings bank in *England* or *Ireland* to withdraw from such savings bank the whole of his or her deposits at any one time (but not in parts or shares), for the purpose of investing the same in any other savings bank in *England* or *Ireland*; and in such case it shall be lawful for the trustees and managers of any such savings bank from which such deposit shall be intended to be withdrawn, or any two or more of them in *England*, or any three or more of them in *Ireland*, and they are hereby required to grant to any such depositor a certificate under the hands of such two or three trustees and managers respectively, attested by the secretary or actuary of such savings bank, and such depositor shall also subscribe his or her own name to such certificate in the presence of one or more of the said trustees and managers, and such certificate shall state the whole amount of the deposit of such depositor in such savings bank, and shall be in such form as shall be directed or approved of by the commissioners for the reduction of the national debt, or their officer; and upon the production of such certificate, signed as herein-before directed, to the trustees and managers of the savings bank into which such deposit is intended to be removed, the person applying shall, and he or she is hereby required to indorse his or her name on the back of such certificate in the presence of one or more of the trustees and managers of such savings bank, and such indorsement shall be attested by one of such trustees and managers; and if such trustee or trustees and manager or managers shall be satisfied that such certificate is authentic, and that no abuse is intended thereby, it shall and may be lawful for the trustees and managers of such savings bank to receive the sum specified in such certificate, and to place the same to the account of the person therein described in the books of such savings bank, any thing in the said recited acts or any of them, or in this act, to the contrary thereof in anywise notwithstanding: Provided, that previous to such investment a like declaration shall be made by the person applying to make such deposit, as is required in other cases of making deposits in savings banks according to the provisions contained in this act; and such person shall be considered in all respects as an original subscriber to such savings bank, and shall be liable to all such rules, regulations, and restrictions, as any original subscriber to such bank, as to the amount to be subscribed in any subsequent year, and as to the total amount allowed to be deposited by such subscriber, 5 G. 4. c. 62. s. 26.

22. From and after the 20th day of Nov. 1824, the several sums of money belonging to any savings bank in *England* or *Ireland* respectively, which the trustees of such savings banks respectively are authorised to invest under the said recited acts or any of them, or this act, or under any rules or regulations of any such savings banks, shall be paid into and invested in the bank of *England* or the bank of *Ireland*, as the case may require, in the names of the commissioners for the reduction of the national debt, according to the provisions of the several acts and this act, enabling such trustees to make investments in the names of the said commissioners; and no such sums shall be paid or laid out by the trustees of such savings bank in any other manner, or upon any other security whatever, any thing in the several herein-before recited acts, or in any of them, to the contrary notwithstanding: Provided, that nothing herein contained shall restrain or prevent any depositor, or any trustee or trustees acting on behalf of any depositor or depositors, or any friendly society, from withdrawing from any such savings bank any sum of money which shall have been deposited by such depositor or friendly society, and investing the same in any other securities, 5 G. 4. c. 62. s. 27.

23. From and after the 20th day of Nov. 1824, every officer or person whosoever receiving any salary or allowance for their services from the funds of any savings banks, who shall be intrusted with the

receipt or custody of any sum of money subscribed or deposited for the purposes of any such savings banks, or any interest or dividend from time to time accruing thereby, and all and every other officers or officer receiving salaries or allowances as aforesaid, appointed or employed by or under the trustees or managers of any such savings bank, shall become bound with sureties for the just and faithful execution of such office or trust in a sufficient sum of money; and such security shall be given by bond to the clerk of the peace, and such bond shall and may be proceeded upon in such manner as is directed by 57 G. 3. c. 105. s. 7., and c. 130. s. 7. [Stat. Dig. tit. BANKS FOR SAVINGS, pl. 10.] for establishment of such savings bank in *England* and *Ireland* respectively, 5 G. 4. c. 62. s. 28.

24. And for the more effectually ascertaining from time to time the actual and progressive state of the several savings banks in *England* and *Ireland* respectively, be it enacted, That from and after the 20th Nov. 1824, the trustees or managers of any savings banks in *England* and *Ireland* respectively shall annually cause a general statement of the funds of such savings bank to be prepared, up to 20th Nov. in each year, showing the balance or principal sum due to all the depositors collectively in such savings bank, and stating in whose hands such balance shall then be remaining, and every such annual statement shall be attested by two managers or two trustees, or by one manager and one trustee of such savings bank, and every such annual statement shall be countersigned by the secretary or actuary of such savings bank, and all such annual statements shall be transmitted to the office of the said commissioners for the reduction of the national debt in *London* or *Dublin*, as the case may be, within thirty days next after 20th Nov. in each year; and in case the trustees of any such savings bank shall neglect or refuse to make out and transmit such account as aforesaid, or in case any such trustees shall at any time neglect or refuse to obey any orders or directions given by the said commissioners for the reduction of the national debt, or their officer, pursuant to the directions of the said recited acts or this act, it shall be lawful for the said commissioners to close the account of the trustees of such savings bank, and to discontinue the keeping any further account with the trustees of such savings bank, and to direct that no further sum shall be received at the bank of *England*, or at the bank of *Ireland*, from the trustees of such savings bank, to the account of the said commissioners, until such time as such commissioners shall think fit: Provided, that it may be lawful for the said commissioners to reopen such account, and to allow the growing interest of such account during the time of such discontinuance, and to authorize the receipt of money at the banks of *England* or *Ireland* whenever such commissioners shall think fit so to do, upon such trustees complying with the directions of such commissioners, or their officer, 5 G. 4. c. 62. s. 29.

25. The trustees or managers of every such savings bank shall cause a duplicate of every such annual statement, attested and countersigned as aforesaid, to be publicly affixed and exhibited in some conspicuous part of the office or place where the deposits of such savings bank are usually received, for the information of all persons making deposits therein; and every such duplicate shall from time to time remain so affixed and exhibited, until the ensuing annual statement shall in like manner be affixed and exhibited as aforesaid, 5 G. 4. c. 62. s. 30.

26. And for rendering the accounts of the several savings banks in *England* and *Ireland* uniform with the accounts of the commissioners for the reduction of the national debt, it is enacted, That from the 20th Nov. 1824, the interest or dividends due to each depositor in such savings banks shall be computed half yearly to 20th May, or 20th Nov., or yearly to the 20th Nov., or up to such period nearest to the 20th May, or 20th Nov., as such interest shall be payable, according to the rules, &c. of such savings banks respectively, and to no other period, 5 G. 4. c. 62. s. 31.

27. From 17th June 1824, in lieu of the accounts by stats. 57 G. 3. c. 105. s. 19. and c. 120. s. 19. [Stat. Dig. tit. BANKS FOR SAVINGS, pl. 19.] for encouraging the establishment of banks for savings in *England* and *Ireland* respectively, required to be annually laid before both houses of parliament by the commissioners for the reduction of the national debt, the following accounts shall be prepared by the said commissioners, and shall be annually laid before both houses of parliament, on or before the 25th March in every year, if parliament shall be sitting; and if parliament shall not be sitting, then within fourteen days after the commencement of the then next session of parliament: that is to say, accounts made up to the 20th Nov. then next preceding, of the gross amount of all sums received and credited, and of all sums paid from the time of the passing of stats. 57 G. 3. c. 105. and c. 130. for the encouraging the establishment of banks for savings in *England* and *Ireland* respectively, up to such 20th Nov. by the said commissioners, on account of the trustees of the several savings banks in *England* and *Ireland*, and also on account of any friendly societies in *England* respectively, and of the gross amount of all sums, stocks, funds, and annuities, standing in the names of such commissioners on the 20th Nov.

on account of any such savings banks or friendly societies respectively, and the sums paid for the purchase of such stocks, funds, or securities, and the gross amount of interest or dividends received thereon by the said commissioners, and the gross amount of interest paid by such commissioners up to such 20th Nov. on all debentures or receipts issued to the trustees of any such savings banks or friendly societies in *England* and *Ireland* respectively, 5 G. 4. c. 62. s. 32.

28. Whereas it will be advantageous to enable the commissioners for the reduction of the national debt more readily to provide for the making of the several payments required by the said several recited acts or this act to be made to the trustees of savings banks or friendly societies from time to time; it is enacted, That from the 17th June 1824, it shall and may be lawful for the commissioners for the reduction of the national debt, or for the proper officer or officers of the said commissioners, from time to time to make application to the lord high treasurer or to the commissioners of H. M.'s treasury of the U. K., stating and certifying what sum of money may be required for satisfying any demands which shall from time to time be made upon the said commissioners for the reduction of the national debt, by the trustees of any savings bank or friendly society in *England* or *Ireland*; and thereupon it shall be lawful for the lord high treasurer or commissioners of the said treasury, or any three of them, in case they shall think fit and proper so to do, by warrant under their hands to cause or direct any number of exchequer bills to be made out at the receipt of H. M.'s exchequer in *Great Britain*, for such sum of money as shall be from time to time stated and certified in any such application of the said commissioners for the reduction of the national debt, or their officer or officers, under the directions of the said commissioners, or for any part of any such sum or sums; and such exchequer bills shall be made out in like manner, form, and order, and according to the like rules and directions as directed in and by 48 G. 3. c. 1., intituled *An Act for regulating the issuing and paying of Exchequer Bills*, 5 G. 4. c. 62. s. 33.

28. It shall be lawful for the governor and company of the bank of *England* and bank of *Ireland* respectively, from time to time to advance to the said commissioners for the reduction of the national debt such sum or sums of money, on the credit of any such exchequer bill or bills; and at such times as the said commissioners shall from time to time require; any law or statute to the contrary thereof in anywise notwithstanding, 5 G. 4. c. 62. s. 34.

29. That the principal sum of every such exchequer bill upon which any sum of money shall have been so advanced by the governor and company of the banks of *England* or of *Ireland* respectively, under [s. 34. of] this act, shall, together with all interest due thereon, be discharged from time to time by the said commissioners for the reduction of the national debt, in such portions as the said commissioners shall deem fit and expedient, with and out of any monies invested from time to time by the trustees of any savings banks or friendly societies in *England* or *Ireland* respectively, and carried to the credit of the said commissioners, on account of such savings banks or friendly societies, or with and out of the monies or funds commonly called *The Sinking Fund*, standing in the names of the said commissioners in the books of the governor and company of the banks of *England* or *Ireland* respectively, or by both or either of such means of repayment as the said commissioners shall deem most proper and convenient; and that immediately upon any such payment being made by the said commissioners for the reduction of the national debt, exchequer bills to the amount of the principal sum so paid off and discharged shall be delivered up to the said commissioners by the governor and company of *England* or bank of *Ireland* respectively; and the said commissioners shall forthwith cause the said exchequer bills to be delivered to the paymasters of exchequer bills to be cancelled, 5 G. 4. c. 62. s. 35.

30. Whenever the principal sum of any such exchequer bill or bills shall have been discharged and paid off by any sum or sums of money advanced from the sinking fund under the provisions of this act, the said commissioners for the reduction of the national debt shall cause their agent or proper officer to transfer, from any account standing in the names of the said commissioners in the books of the governor and company of the bank of *England*, or from any accounts standing in their names in the books of the bank of *Ireland*, under or by virtue of the said recited acts or any of them, or of this act, or of any act or acts relating to friendly societies, as the case may be, into the account standing in the names of the said commissioners in the books of the bank of *England* or bank of *Ireland* respectively, under the title of "the account of the commissioners appointed by act of parliament for applying certain sums of money annually to the reduction of the national debt," such an amount of stock as shall produce by computation the principal sum and interest of all such exchequer bills so paid off and discharged; and the said computations shall be made by the proper officer or officers of the said commissioners, according to the price at which such stock shall have been purchased by

the said commissioners on the day of transferring the said amount of stock as aforesaid; and upon every such transfer of stock being made as herein-before directed, the accountant-general of the governor and company of the bank of *England* or bank of *Ireland* respectively, shall thereupon transmit to the office of the said commissioners for the reduction of the national debt, a certificate of every such transfer, containing the amount and description of stock so transferred, 5 G. 4. c. 62. s. 56.

31. Whenever the sum to be drawn for by the trustees of any savings banks in *England* or *Ireland* respectively, or by the trustees of any friendly society in *England*, shall amount to the sum of 5000*l.* or upwards, the amount of such draft shall not be payable or paid by the officer of the commissioners for the reduction of the national debt until the expiration of twenty-one days next after the day when the draft for such sum shall be produced to the said officer, 5 G. 4. c. 62. s. 37.

32. From 20th Nov. 1824, the schedules annexed to 57 G. 3. c. 105. and 58 G. 3. c. 48. s. 1. [See *Stat. Dig. tit. BANKS FOR SAVINGS, pl. 32.*, and App. No. xlv.] shall be repealed, and that from 20th Nov. 1824, all receipts, orders, certificates, indorsements, accounts, returns, or instruments whatsoever, which shall be required for carrying into execution this act, and the recited acts, shall be in the form and contain such particulars, and be under the regulations from time to time directed or approved of by the commissioners for the reduction of the national debt, or their officer, 5 G. 4. c. 62. s. 38.

33. This act shall be a full and sufficient indemnity and discharge to the commissioners for the reduction of the national debt, and to the governor and company of the bank of *England* and bank of *Ireland* respectively, and their officers, for all things to be done or required or permitted to be done, pursuant to the said recited acts or this act, 5 G. 4. c. 62. s. 39.

BANKRUPT.

(STATUTES repealed.)

1. Against such persons as do make bankrupt, 34 & 35 H. 8. c. 4. [Stat. Dig. tit. BANKRUPT, pl. 1—7.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

2. Touching orders for bankrupts, 13 El. c. 7. [Stat. Dig. tit. id. pl. 8, 9, 17—27.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

3. For the better relief of creditors against such as shall become bankrupt, 1 J. 1. c. 15. [Stat. Dig. tit. id. pl. 8, 9, 10, 12, 19, 28—38, 41, 42, 43.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

4. For the further description of a bankrupt, and relief of creditors against such as shall become bankrupt; and inflicting corporal punishment upon bankrupts in some special cases, 21 J. 1. c. 19. [Stat. Dig. tit. id. pl. 8, 11—14, 44—53.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

5. Declaratory concerning bankrupts, 13 & 14 C. 2. c. 24. [Stat. Dig. tit. id. pl. 8, 15, 16.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

6. For repealing a clause in 21 J. 1. c. 19., which makes description of bankrupts, and for the explanation of the laws relating to bankruptcy in case of partnership, 10 Ann. c. 15. [Stat. Dig. tit. id. pl. 8, 11, 54.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

7. For explaining and making more effectual the several acts concerning bankrupts, 7 G. 1. st. 1. c. 31. [Stat. Dig. tit. id. pl. 55—57.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

8. To prevent the committing of frauds by bankrupts 5 G. 2. c. 30. [Stat. Dig. tit. id. pl. 58—64, 66—69, 71—92, 95—108.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

9. For amending the laws relating to bankrupts, 19 G. 2. c. 32. (*Sir John Bernard's Act.*) [Stat. Dig. tit. id. pl. 58, 109, 110.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

10. For making some further provisions in relation to signing of certificates for the discharge of bankrupts, 24 G. 2. c. 57. s. 9, 10. [Stat. Dig. tit. id. pl. 58, 111, 112.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

11. For preventing inconveniences arising in cases of merchants and such other persons as are within the description of the statutes relating to bankrupts, being entitled to the privilege of parliament becoming insolvent, 4 G. 3. c. 33. [Stat. Dig. tit. id. pl. 134—137.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

12. For the relief of persons equitably and beneficially entitled to or interested in the several stocks and annuities transferable at the bank of *England*, 36 G. 3. c. 90. [Stat. Dig. tit. STOCK, &c. pl. 21.] REP. as to so much of s. 1. as relates to trustees having stock standing in their names becoming bankrupt, and s. 2., by 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

13. To make 5 G. 2. c. 30. perpetual, 37 G. 3. c. 124. [Stat. Dig. tit. BANKRUPT, pl. 58.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

14. To amend 4 G. 3. c. 33. and to prevent delay in the entering of appearances in actions brought against persons having privilege of parliament, 45 G. 3. c. 124. [Stat. Dig. tit. id. pl. 134, 139, 140.] REP. as to

s. 1., and so much of s. 7. as relates to bankrupts, by 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

15. To amend the laws relating to bankrupts, 46 G. 3. c. 135. [Stat. Dig. tit. id. pl. 58, 115—117.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

16. To amend the laws relating to bankrupts, 49 G. 3. c. 121. [Stat. Dig. tit. id. pl. 58, 93, 94, 65, 70, 115, 118—130.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

17. To extend the provisions of 1 J. 1. c. 15., 56 G. 3. c. 137. [Stat. Dig. tit. id. pl. 8, 39, 40.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

18. To repeal so much of the several acts passed in the thirty-ninth year of the reign of *Elizabeth*, the fourth of *George* the First, the fifth and eighth of *George* the Second, as inflicts capital punishment on certain offences therein specified, and to provide more suitable and effectual punishment for such offences, 1 G. 4. c. 115. [Stat. Dig. tit. id. pl. 59.] REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

19. To amend the laws relating to bankrupts under joint commissions, 3 G. 4. c. 74. REP. 5 G. 4. c. 98. s. 1. 6 G. 4. c. 16. s. 1.

20. To amend the laws relating to bankrupts, 3 G. 4. c. 81. REP. 5 G. 4. c. 98. s. 1., 6 G. 4. c. 16. s. 1.

21. To consolidate and amend the bankrupt laws, 5 G. 4. c. 98. REP. 6 G. 4. c. 16. s. 1.

(STATUTE in force.)

22. To amend the laws relating to bankrupts, 6 G. 4. c. 16.

23. Whereas it is expedient to amend the laws relating to bankrupts, and to simplify the language thereof, and to consolidate the same, so amended and simplified, in one act, and to make other provisions respecting bankrupts; be it therefore enacted, That the 34 & 35 H. 8. c. 4., 13 Eliz. c. 7., 1 J. 1. c. 15., 21 J. 1. c. 19., 15 & 14 Car. 2. c. 24., 10 Ann. c. 15., 7 G. 1. c. 31., 5 G. 2. c. 30., 19 G. 2. c. 32., and also so much of 24 G. 2. c. 57. [s. 9, 10.] as relates to the prevention of frauds by bankrupts, and to some further provisions in relation to the signing of certificates for the discharge of bankrupts; and also 4 G. 3. c. 33., and also so much of 36 G. 3. c. 90. [s. 1, 2.] as relates to trustees in whose names stock shall be standing at the bank becoming bankrupt, and to bankrupts refusing to transfer stock standing in their own right; and also 37 G. 3. c. 124.; and also so much of 45 G. 3. c. 124. [s. 1, 7.] as relates to the execution of certain bonds by traders having privilege of parliament, and to the disobedience by such traders of orders for payment of money; and also 46 G. 3. c. 135., 49 G. 3. c. 121., 56 G. 3. c. 137.; and also so much of 1 G. 4. c. 115. as relates to the punishment of frauds committed by bankrupts; and also 3 G. 4. c. 74., 3 G. 4. c. 81., and 5 G. 4. c. 98. shall be, and are hereby repealed, 6 G. 4. c. 16. s. 1.

24. All bankers, brokers, and persons using the trade or profession of a scrivener, receiving other men's monies or estates into their trust or custody, and persons insuring ships or their freight, or other matters, against perils of the sea, warehousemen, wharfingers, packers, builders, carpenters, shipwrights, victuallers, keepers of inns, taverns, hotels, or coffee-houses, dyers, printers, bleachers, fullers, calenderers, cattle, or sheep salesmen, and all persons using the trade of merchandize by way of bargaining, exchange, bartering, commission, consignment, or otherwise, in gross or by retail; and all persons who, either for themselves or as agents or factors for others, seek their living by buying and selling, or by buying and letting for hire, or by the workmanship of goods or commodities, shall be deemed traders liable to become bankrupt: Provided, that no farmer, grazier, common labourer, or workman for hire, receiver general of the taxes, or member of or subscriber to any incorporated, commercial, or trading companies, established by charter or act of parliament, shall be deemed as such a trader liable by virtue of this act to become bankrupt, 6 G. 4. c. 16. s. 2.

25. If any such trader shall depart this realm, or being out of this realm shall remain abroad, or depart from his dwelling house, or otherwise absent himself, or begin to keep his house, or suffer himself to be arrested for any debt not due, or yield himself to prison, or suffer himself to be outlawed, or procure himself to be arrested, or his goods, money, or chattels to be attached, sequestered, or taken in execution, or make or cause to be made, either within this realm or elsewhere, any fraudulent grant or conveyance of any of his lands, tenements, goods, or chattels, or make or cause to be made any fraudulent surrender of any of his copyhold lands or tenements, or make or cause to be made any fraudulent gift, delivery, or transfer of any of his goods or chattels; every such trader, doing, suffering, procuring, executing, permitting, making, or causing to be made, any of the acts, deeds, or matters aforesaid, with intent to defeat or delay his creditors, shall be deemed to have thereby committed an act of bankruptcy, 6 G. 4. c. 16. s. 3.

26. Where any such trader shall, after this act shall have come into effect, execute any conveyance or assignment, by deed, to a trustee or trustees, of all his estate and effects for the benefit of all the creditors of such trader, the execution of such deed shall not be deemed

an act of bankruptcy, unless a commission issue against such trader within six calendar months from the execution thereof by such trader; provided that such deed shall be executed by every such trustee within fifteen days after the execution thereof by the said trader, and that the execution by such trader and by every such trustee be attested by an attorney or solicitor; and that notice be given within two months after the execution thereof by such trader, in case such trader reside in *London* or within forty miles thereof, in the *London Gazette*, and also in two *London* daily newspapers; and in case such trader does not reside within forty miles of *London*, then in the *London Gazette*, and also in one *London* daily newspaper and one provincial newspaper published near to such trader's residence; and such notice shall contain the date and execution of such deed, and the name and place of abode respectively of every such trustee and of such attorney or solicitor, 6 G. 4. c. 16. s. 4.

27. If any such trader, having been arrested or committed to prison for debt, or on any attachment for nonpayment of money, shall, upon such or any other arrest or commitment for debt or nonpayment of money, or upon any detention for debt, lie in prison for twenty-one days, or having been arrested or committed to prison for any other cause, shall lie in prison for twenty-one days, after any detainer for debt lodged against him, and not discharged, every such trader, shall be thereby deemed to have committed an act of bankruptcy; or if any such trader, having been arrested, committed, or detained for debt, shall escape out of prison or custody, every such trader shall be deemed to have thereby committed an act of bankruptcy from the time of such arrest, commitment, or detention: provided, that if any such trader shall be in prison at the time of the commencement of this act, such trader shall not be deemed to have committed an act of bankruptcy by lying in prison, until he shall have lain in prison for the period of two months, 6 G. 4. c. 16. s. 5.

28. If any such trader shall file in the office of the lord chancellor's secretary of bankrupts a declaration in writing, signed by such trader and attested by an attorney or solicitor, that he is insolvent or unable to meet his engagements, the said secretary of bankrupts or his deputy shall sign a memorandum that such declaration hath been filed, which memorandum shall be authority for the printer of the *London Gazette* to insert an advertisement of such declaration therein; and every such declaration shall, after such advertisement inserted as aforesaid, be an act of bankruptcy committed by such trader at the time when such declaration was filed; but no commission shall issue thereupon, unless it be sued out within two calendar months next after the insertion of such advertisement, and unless such advertisement shall have been inserted in the *London Gazette* within eight days after such declaration was filed; and no docket shall be struck upon such act of bankruptcy before the expiration of four days next after insertion of such advertisement, in case such commission is to be executed in *London*, or before the expiration of eight days next after such insertion, in case such commission is to be executed in the country; and the gazette containing such advertisement shall be evidence to be received of such declaration having been filed, 6 G. 4. c. 16. s. 6.

29. No commission under which the adjudication shall be grounded on the act of bankruptcy, being the filing of such declaration, shall be deemed invalid by reason of such declaration having been concerted or agreed upon between the bankrupt and any creditor or other person, 6 G. 4. c. 16. s. 7.

30. If any such trader liable by virtue of this act to become bankrupt, shall, after a docket struck against him, pay to the person who struck the same, money, or give or deliver to any such person any satisfaction or security for his debt, or any part thereof, whereby such person may receive more in the pound in respect of his debts than the other creditors, such payment, gift, delivery, satisfaction, or security, shall be an act of bankruptcy; and if any commission shall have issued upon the docket so struck as aforesaid, the lord chancellor may either declare such commission to be valid, and direct the same to be proceeded in, or may order it to be superseded, and a new commission may issue, and such commission may be supported either by proof of such last-mentioned or of any other act of bankruptcy; and every person so receiving such money, gift, delivery, satisfaction, or security as aforesaid, shall forfeit his whole debt, and also repay or deliver up such money, gift, satisfaction, or security as aforesaid, or the full value thereof, to such person as the commissioners acting under such original commission, or any new commission, shall appoint, for the benefit of the creditors of such bankrupt, 6 G. 4. c. 16. s. 8.

31. If any such trader having privilege of parliament shall commit any of the aforesaid acts of bankruptcy, a commission of bankrupt may issue against him, and the commissioners and all other persons acting under such commission, may proceed thereon in like manner as against other bankrupts, but such persons shall not be subject to be arrested or imprisoned during the time of such privilege, except in cases hereby made felony, 6 G. 4. c. 16. s. 9.

32. If any creditor or creditors of any such trader having privilege of parliament to such amount as is herein-after declared requisite to support a commission, shall file an affidavit or affidavits in any court of re-

cord at *Westminster*, that such debt or debts is or are justly due to him or them respectively, and that such debtor, as he or they verily believe, is such trader as aforesaid, and shall sue out of the same court a summons, or an original bill and summons against such trader, and serve him with a copy of such summons, if such trader shall not, within one calendar month after personal service of such summons, pay, secure, or compound for such debt or debts to the satisfaction of such creditor or creditors, or enter into a bond in such sum, and with two sufficient sureties, as any of the judges of the court out of which such summons shall issue shall approve of, to pay such sum as shall be recovered in such action or actions, together with such costs as shall be given in the same, and within one calendar month next after personal service of such summons cause an appearance or appearances to be entered to such action or actions, in the proper court or courts in which the same shall have been brought, every such trader shall be deemed to have committed an act of bankruptcy from the time of the service of such summons, and any creditor or creditors of such trader to such amount as aforesaid may sue out a commission against him, and proceed thereon in like manner as against other bankrupts, 6 G. 4. c. 16. s. 10.

33. If any decree or order shall have been pronounced in any cause depending in any court of equity, or any order made in any matter of bankruptcy or lunacy against any such trader having privilege of parliament, ordering such trader to pay any sum of money, and such trader shall disobey, the same having been duly served upon him, the person entitled to receive such sum under such decree or order, or interested in enforcing the payment thereof pursuant to such decree or order, may apply to the court by which the same shall have been pronounced to fix a peremptory day for the payment of such money, which shall accordingly be fixed by an order for that purpose; and if such trader being personally served with such last-mentioned order eight days before the day therein appointed for payment of such money, shall neglect to pay the same, he shall be deemed to have committed an act of bankruptcy from the time of the service thereof, and any such creditor as aforesaid may sue out a commission against him, and proceed thereon in like manner as against other bankrupts, 6 G. 4. c. 16. s. 11.

34. The lord chancellor shall have power, upon petition made to him in writing against any trader having committed any act of bankruptcy, by any creditor or creditors of such trader, by commission under the great seal, to appoint such persons as to him shall seem fit, who shall by virtue of this act and of such commission, have full power and authority to take such order and direction, with the body of such bankrupt, as herein-after mentioned, as also with all his lands, tenements, and hereditaments, both within this realm and abroad, as well copy or customaryhold as freehold, which he shall have in his own right before he became bankrupt, as also with all such interest in any such lands, tenements, and hereditaments, as such bankrupt may lawfully depart withall, and with all his money, fees, offices, annuities, goods, chattels, wares, merchandize, and debts, wheresoever they may be found or known, and to make sale thereof in manner herein-after mentioned, or otherwise order the same for satisfaction and payment of the creditors of the said bankrupt, 6 G. 4. c. 16. s. 12.

35. The petitioning creditor shall, before any commission be granted, make an affidavit in writing before a master ordinary or extraordinary in chancery (which shall be filed with the proper officer), of the truth of such his or their [so in act] respective debt or debts; and shall likewise give bond to the lord chancellor in the penalty of two hundred pounds to be conditioned for proving his or their debt or debts, as well before the commissioners as upon any trial at law, in case the due issuing forth of the commission be contested, and also for proving the party to have committed an act of bankruptcy at the time of taking out such commission, and to proceed on such commission; but if such debt or debts shall not be really due, or if after such commission taken out it be not proved that the party had committed an act of bankruptcy at the time of the issuing of the commission, and it shall also appear that such commission was taken out fraudulently or maliciously, the lord chancellor shall and may, upon petition of the party or parties against whom the commission was so taken out, examine into the same, and order satisfaction to be made to him or them for the damages by him or them sustained, and for the better recovery thereof, may assign such bond or bonds to the party or parties so petitioning, who may sue for the same in his and their name or names, 6 G. 4. c. 16. s. 16.

36. The petitioning creditor or creditors shall, at his or their own costs, sue forth and prosecute the commission until the choice of assignees; and the commissioners shall, at the meeting for such choice, ascertain such costs, and by writing under their hands direct the assignees (who are hereby thereto required) to reimburse such petitioning creditor or creditors such costs out of the first money that shall be got in under the commission; and all bills of fees or disbursements of any solicitor or attorney employed under any commission for business done after the choice of assignees, shall be settled by the commissioners, except that so much of such bills as contain any charge respecting any action at law, or suit in equity, shall be settled by the proper officer of the court in

which such business shall have been transacted, and the same, so settled, shall be paid by the assignee to such solicitor or attorney; provided that any creditor who shall have proved to the amount of twenty pounds or upwards, if he be dissatisfied with such settlement by the commissioners, may have any such costs and bills settled by a master in chancery, who shall receive for such settlement, and the certificate thereof, twenty shillings, and no more, 6 G. 4. c. 16. s. 14.

37. No such commission shall be issued unless the single debt of such creditor, or of two or more persons being partners, petitioning for the same, shall amount to one hundred pounds or upwards, or unless the debt of two creditors so petitioning shall amount to one hundred and fifty pounds or upwards, or unless the debt of three or more creditors so petitioning shall amount to two hundred pounds or upwards; and that every person who has given credit to any trader upon valuable consideration for any sum payable at a certain time which time shall not have arrived when such trader committed an act of bankruptcy, may so petition or join in petitioning as aforesaid, whether he shall have any security in writing or otherwise for such sum or not, 6 G. 4. c. 16. s. 15.

38. Any creditor or creditors whose debt or debts is or are sufficient to entitle him or them to petition for a commission against all the partners of any firm, may petition for a commission against one or more partners of such firm, and every commission issued upon such petition shall be valid although it does not include all the partners of the firm; and in every commission against two or more persons it shall be lawful for the lord chancellor to supersede such commission as to one or more of such persons, and the validity of such commission shall not be thereby affected as to any person as to whom such commission is not ordered to be superseded, nor shall any such person's certificate be thereby affected, 6 G. 4. c. 16. s. 16.

39. If after a commission issued against two or more members of a firm any other commission or commissions shall be issued against any other member or members of such firm, such other commission or commissions shall be directed to the commissioners to whom the first commission was directed, and immediately after the adjudication under such other commission or commissions the commissioners shall convey and assign all the estate real and personal of such bankrupt or bankrupts to the assignees chosen in the first commission; and after such conveyance all separate proceedings under such other commission or commissions shall be stayed, and such commission or commissions shall, without affecting the validity of the first commission, be annexed to and form part of the same; provided, that the lord chancellor may direct that such other commission or commissions be issued to any other commissioners, or that such other commission or commissions shall proceed either separately or in conjunction with the first commission, 6 G. 4. c. 16. s. 17.

40. If after adjudication the debt or debts of the petitioning creditor or creditors, or any of them, be found insufficient to support a commission, it shall be lawful for the lord chancellor, upon the application of any other creditor or creditors, having proved any debt or debts sufficient to support a commission, (provided such debt or debts has or have been incurred not anterior to the debt or debts of the petitioning creditor or creditors,) to order the said commission to be proceeded in, and it shall by such order be deemed valid, 6 G. 4. c. 16. s. 18.

41. No commission shall be deemed invalid by reason of any act of bankruptcy prior to the debt or debts of the petitioning creditor or creditors, or any of them, provided there be a sufficient act of bankruptcy subsequent to such debt or debts, 6 G. 4. c. 16. s. 19.

42. It shall be lawful for the lord chancellor to direct an auxiliary commission to issue for proof of debts under twenty pounds, and for the examination of witnesses on oath, or for either of such purposes; and the commissioners in every such commission issued for the examination of witnesses shall possess the same powers to compel the attendance of and to examine witnesses, and to enforce both obedience to such examination, and the production of books, deeds, papers, writings, and other documents, as are possessed by the commissioners in any original commission; provided, that all such examinations of witnesses under such commissions shall be taken down in writing, and shall be annexed to and form part of the original commission, 6 G. 4. c. 16. s. 20.

43. No commissioner shall be capable of acting in the execution of any of the powers and authorities given by this act (except the power hereby given of administering the oath next, herein-after mentioned), until he shall have taken an oath in the presence of one or more of the said commissioners, to the effect following; (that is to say),

'I A. B. do swear, That I will faithfully, impartially, and honestly, according to the best of my skill and knowledge, execute the several powers and trusts reposed in me as a commissioner in a commission of bankruptcy against ——— and that without favour or affection, prejudice or malice.

'So help me GOD.'

Which oath the commissioners are hereby empowered and required to administer one to another in the same commission named; and they shall enter and keep a memorial or memorials thereof, signed by them

respectively, among the proceedings under each commission, 6 G. 4. c. 16. s. 21.

44. The said commissioners shall receive and be paid the fee of twenty shillings each commissioner for every meeting, and the like sum for every deed of conveyance executed by them, and for the signature of the bankrupt's certificate; and where any commission shall be executed in the country, every commissioner, being a barrister at law, shall receive a further fee of twenty shillings for each meeting; and in case the usual place of residence of such commissioner, being a barrister, is distant seven miles or upwards from the place where such meetings are holden, and he shall travel such distance to any such meeting, he may receive a further sum of twenty shillings for every such meeting; and every commissioner who shall receive from the creditors, or out of the estate of the bankrupt, any further sum than as aforesaid, or who shall eat or drink at the charge of the creditors, or out of the estate of the bankrupt, or order any such expence to be made, shall be disabled for ever from acting in such or any other commission, 6 G. 4. c. 16. s. 22.

45. At every meeting under any commission to be executed in the country, wherein any one or more of the commissioners named may be a barrister or barristers, such barrister or barristers, or as many of them as shall be willing to attend, not exceeding three at each meeting, shall be the acting commissioner or commissioners, and shall be entitled to his or their summonses and fees accordingly, in priority to any of the other commissioners in the said commission named, 6 G. 4. c. 16. s. 23.

46. It shall be lawful for the commissioners, after they shall have taken such oath as aforesaid, by writing under their hands, to summon before them any person whom they shall believe capable of giving any information concerning the trading of or any act or acts of bankruptcy committed by the person or persons against whom such commission is issued, and also to require any person so summoned to produce any books, papers, deeds, and writings, and other documents in his custody, possession, or power, which may appear to the said commissioners to be necessary to establish such trading or act or acts of bankruptcy; and it shall be lawful for the said commissioners to examine any such person upon oath, by word of mouth, or interrogatories in writing, concerning the trade of or any act or acts of bankruptcy committed by the person or persons against whom such commission shall have issued; and every such person so summoned shall incur such danger or penalty for not coming before the commissioners, or for refusing to be sworn and examined, or for not fully answering to the satisfaction of the said commissioners or for refusing to sign or subscribe his examination, or for refusing to produce or for not producing any such book, paper, deed, writing, or document, as is hereby provided as to persons summoned after the adjudication of bankruptcy; and the commissioners, upon proof made before them of the petitioning creditor's debt or debts, and of the trading and act or acts of bankruptcy of the person or persons against whom such commission is issued, shall thereupon adjudge such person or persons bankrupt, 6 G. 4. c. 16. s. 24.

47. The commissioners, after they have so adjudged as aforesaid, shall forthwith cause notice of such adjudication to be given in the *London Gazette*, and shall thereby appoint three public meetings for the bankrupt to surrender and conform, the last of which meetings shall be on the forty-second day hereby limited for such surrender, 6 G. 4. c. 16. s. 25.

48. No commission shall abate by reason of a demise of the crown, and (if by reason of the death of commissioners, or for any other cause, it become necessary) any commission may be renewed, but only half the fees usually paid upon obtaining commissions shall be paid for the same; and if any bankrupt shall die after adjudication, the commissioners may proceed in the commission as they might have done if he were living, 6 G. 4. c. 16. s. 26.

49. It shall be lawful for any person appointed by the commissioners, by warrant under their hands and seals, to break open any house, chamber, shop, warehouse, door, trunk, or chest of any bankrupt, where such bankrupt or any of his property shall be reputed to be, and seize upon the body or property of such bankrupt; and if the bankrupt be in prison or in custody, it shall be lawful for the person so appointed as aforesaid to seize any property (his necessary wearing apparel only excepted) in the custody or possession of such bankrupt, or of any other person, in any prison or place where such bankrupt is in custody, 6 G. 4. c. 16. s. 27.

50. It shall be lawful for the person so appointed by the commissioner, as aforesaid, to break open any house, chamber, shop, warehouse, door, trunk, or chest of such bankrupt in *Ireland*, where any of the property of such bankrupt shall be reputed to be, and seize the same; provided such warrant as aforesaid shall have been verified upon oath by the attorney or solicitor suing out the commission, before the mayor or other chief magistrate of the city, borough, or town corporate where or near to which the said commission is executed, and verified under the common seal thereof, or the seal of the office of such mayor or other magistrate; and provided also, that the person thereby appointed shall, before a justice of peace residing in the county where such property

shall be reputed to be, depose, upon oath, that he is the person named in such warrant, 6 G. 4. c. 16. s. 28.

51. In all cases where it shall be made to appear to the satisfaction of any justice of peace in *England* or *Ireland*, that there is reason to suspect and believe that property of the bankrupt is concealed in any house, premises, or other place not belonging to such bankrupt, such justice of peace is hereby directed and authorized to grant a search warrant to the person so deputed by the commissioners as aforesaid, and it shall be lawful for such person to execute the same in like manner, and such person shall be entitled to the same protection as is allowed by law in execution of a search warrant for property reputed to be stolen and concealed, 6 G. 4. c. 16. s. 29.

52. If in the execution of any warrant of seizure so granted by the commissioners as aforesaid, it shall be necessary to break open any house, chamber, shop, warehouse, door, trunk, or chest of such bankrupt in *Scotland*, where any of the property of such bankrupt shall be reputed to be, or to seize and get possession of such property; such warrant, after having been verified upon oath as aforesaid [s. 28. pl. 50.], may be backed or indorsed with the name of a judge ordinary or justice of the peace in *Scotland*, who are hereby required, within their respective jurisdictions, to back or indorse the same; and such warrant so indorsed shall be sufficient authority to the person bringing such warrant, and to all officers of the law in *Scotland*, to execute the same within the county or burgh wherein it is so indorsed, and in virtue thereof to break open the house, chamber, shop, warehouse, door, trunk, or chest of such bankrupt, and to seize and take possession of such property, to be distributed under the said commission, or otherwise dealt with according to law, 6 G. 4. c. 16. s. 30.

53. No action shall be brought against any person so appointed by the commissioners, for any thing done in obedience to their warrant prior to the choice of assignees, unless demand of the perusal and copy of such warrant hath been made or left at the usual place of abode of such person by the party intending to bring such action, or by his attorney or agent, in writing, signed by the party demanding the same, and unless the same hath been refused or neglected for six days after such demand; and if after such demand and compliance therewith any action be brought against the person so appointed as aforesaid, without making the petitioning creditor or creditors defendant or defendants (if living), on producing and proving such warrant at the trial of such action, the jury shall give their verdict for the defendant, notwithstanding any defect of jurisdiction in the commissioners; and if such action be brought against the petitioning creditor or creditors and the person so appointed as aforesaid, the jury shall, on proof of such warrant, give their verdict for the person so appointed as aforesaid, notwithstanding any such defect of jurisdiction as aforesaid; and if the verdict shall be given against the petitioning creditor or creditors, the plaintiff shall recover his or their costs against him or them, to be taxed so as to include such costs as the plaintiff or plaintiffs are liable to pay to the person so appointed as aforesaid, 6 G. 4. c. 16. s. 31.

54. In any such action so brought as aforesaid against the petitioning creditor or creditors, either alone or jointly with the person so appointed by the commissioners as aforesaid, for any thing done in obedience to their warrant, proof by the plaintiff that the defendant or defendants, or any of them, are petitioning creditors, shall be sufficient for the purpose of making such defendant or defendants liable, in the same manner, and to the same extent, as if the act complained of in such action had been done or committed by such defendant or defendants, 6 G. 4. c. 16. s. 32.

55. After adjudication it shall be lawful for the commissioners, by writing under their hands, to summon before them any person known or suspected to have any of the estate of the bankrupt in his possession, or who is supposed to be indebted to the bankrupt, or any person whom the commissioners believe capable of giving information concerning the person, trade, dealings, or estate of such bankrupt, or concerning any act or acts of bankruptcy committed by him, or any information material to the full disclosure of the dealings of the bankrupt; and it shall be lawful for the said commissioners to require such person to produce any books, papers, deeds, writings, or other documents in his custody or power, which may appear to the commissioners necessary to the verification of the deposition of such person, or to the full disclosure of any of the matters which the commissioners are authorized to inquire into; and if such person so summoned as aforesaid shall not come before the commissioners at the time appointed, having no lawful impediment (made known to the said commissioners at the time of their meeting, and allowed by them), it shall be lawful for the said commissioners, by warrant under their hands and seals, to authorize and direct the person or persons therein named for that purpose, to apprehend and arrest such person, and bring him before them to be examined as aforesaid, 6 G. 4. c. 16. s. 33.

56. Upon the appearance of any person so summoned or brought before the commissioners as aforesaid, or if any person be present at any meeting of the commissioners, it shall be lawful for them to examine ever such person upon oath, either by word of mouth or by interroga-

tories in writing, concerning the person, trade, dealings, or estate of such bankrupt, or concerning any act or acts of bankruptcy by such bankrupt committed, and to reduce into writing the answers of every such person, and such answers so reduced into writing the party examined is hereby required to sign and subscribe; and if any such person shall refuse to be sworn, or shall refuse to answer any lawful questions put to him by the said commissioners touching any of the matters aforesaid, or shall not fully answer to the satisfaction of the said commissioners any such lawful questions, or shall refuse to sign and subscribe his examination so reduced into writing as aforesaid (not having any lawful objection allowed by the said commissioners), or shall not produce any books, papers, deeds, and writings, and other documents in his custody or power, relating to any of the matters aforesaid, which such person was required by the commissioners to produce, and to the production of which he shall not state any objection allowed by the said commissioners, it shall be lawful for them, by warrant under their hands and seals, to commit him to such prison as they shall think fit, there to remain without bail, until he shall submit himself to them to be sworn, and full answers make to the [so in act, qu. their] satisfaction, to all such lawful questions as shall be put to him, and sign and subscribe such examination, and produce such books, papers, deeds, writings, and other documents as aforesaid, in his custody or power, to the production of which no such objection as aforesaid has been allowed, 6 G. 4. c. 16. s. 34.

57. Where any person known or suspected to have any of the estate of the bankrupt in his possession, or who is supposed to be indebted to the bankrupt, shall be summoned to attend before the said commissioners, every such person shall have such costs and charges as the said commissioners in their discretion shall think fit; and every witness summoned to attend before the commissioners shall have his necessary expences tendered to him, in like manner as is now by law required upon service of a subpoena to a witness in an action at law, 4 G. 4. c. 16. s. 35.

58. It shall be lawful for the commissioners, by writing under their hands, to summon any bankrupt before them, whether such bankrupt shall have obtained his certificate or not; and in case he shall not come at the time by them appointed (having no lawful impediment made known to them at such time and allowed by them), it shall be lawful for the said commissioners, by warrant under their hands and seals, to authorize and direct any person they shall think fit to apprehend and arrest such bankrupt, and bring him before them; and upon the appearance of such bankrupt, or if such bankrupt be present at any meeting of the said commissioners, it shall be lawful for them to examine such bankrupt upon oath, either by word of mouth, or on interrogatories in writing, touching all matters relating either to his trade, dealings, or estate, or which may tend to disclose any secret grant, conveyance, or concealment of his lands, tenements, goods, money, or debts, and to reduce his answers into writing, which examination, so reduced into writing, the said bankrupt shall sign and subscribe; and if such bankrupt shall refuse to be sworn, or shall refuse to answer any questions put to him by the said commissioners touching any of the matters aforesaid, or shall not fully answer to the satisfaction of the said commissioners any such questions, or shall refuse to sign and subscribe his examination so reduced into writing as aforesaid (not having any lawful objection allowed by the said commissioners), it shall be lawful for the said commissioners, by warrant under their hands and seals, to commit him to such prison as they shall think fit, there to remain without bail until he shall submit himself to the said commissioners to be sworn, and full answers make to their satisfaction to such questions as shall be put to him, and sign and subscribe such examination, 6 G. 4. c. 16. s. 36.

59. It shall be lawful for the commissioners, in manner aforesaid, to summon before them the wife of any bankrupt, and in manner aforesaid to examine her for the finding out and discovery of the estate, goods, and chattels of such bankrupt, concealed, kept, or disposed of by such wife, in her own person, or by her own act, or by any other person, and she shall incur such danger or penalty for not coming before the commissioners, or for refusing to be sworn and examined, or for refusing to sign or subscribe her examination, or for not fully answering to the satisfaction of the commissioners, as is hereby provided against other persons, 6 G. 4. c. 16. s. 37.

60. If any gaoler to whose custody any bankrupt or other person shall be committed as aforesaid, shall suffer such bankrupt or other person to escape, every such gaoler shall forfeit five hundred pounds, 6 G. 4. c. 16. s. 38.

61. If any person be committed by the commissioners for refusing to answer, or for not fully answering any question put to him by the said commissioners, they shall in their warrant of commitment specify every such question: provided, that if any person committed by the commissioners shall bring any *habeas corpus* in order to be discharged from such commitment, and there shall appear on the return of such *habeas corpus* any such insufficiency in the form of the warrant whereby such person was committed, by reason whereof he might be discharged,

it shall be lawful for the court or judge before whom such party shall be brought by *habeas corpus*, and such court or judge is hereby required to commit such person to the same prison, there to remain until he shall conform, unless it shall be shewn to such court or judge by the party committed, that he has fully answered all lawful questions put to him by the commissioners; or if such person was committed for refusing to be sworn, or for not signing his examination, unless it shall appear to such court or judge that he had a sufficient reason for the same; provided also, that such court or judge shall, if required thereto by the party committed, in case the whole of the examination of the party so committed shall not have been stated in the warrant of commitment, inspect and consider the whole of the examination of such party, whereof any such question was a part; and if it shall appear from the whole examination that the answer or answers of the party committed is or are satisfactory, such court or judge shall order the party so committed to be discharged, 6 G. 4. c. 16. s. 39.

62. In every action in respect of any such commitment brought by any bankrupt or other person committed, the court or judge before which or whom such action is tried shall, if thereto required by the defendant (in case the whole of the examination of the party so committed shall not have been stated in the warrant of commitment), inspect and consider the whole of such examination; and if upon such inspection and consideration it shall appear to such court or judge that the party was lawfully committed, the defendant shall have the same benefit therefrom as if the whole of such examination had been therein stated, 6 G. 4. c. 16. s. 40.

63. No writ shall be issued out against nor copy of any process served on any commissioner for any thing by him done as such commissioner, unless notice in writing of such intended writ or process shall have been delivered to him or left at his usual place of abode by the attorney or agent for the party intending to sue or cause the same to be sued out or served, at least one calendar month before the suing out or serving the same; and such notice shall set forth the cause of action which such party has or claims to have against such commissioner, and on the back of such notice shall be indorsed the name of such attorney or agent, together with the place of his abode, who shall receive no more than twenty shillings for preparing and serving such notice, 6 G. 4. c. 16. s. 41.

64. No such plaintiff shall recover any verdict against such commissioner in any case where the action shall be grounded on any act of the defendant as commissioner, unless it is proved upon the trial of such action that such notice was given as aforesaid, but in default thereof such commissioner shall recover a verdict and costs, as herein-after mentioned; and no evidence shall be permitted to be given by the plaintiff on the trial of any cause of action, except such as is contained in the notice, 6 G. 4. c. 16. s. 42.

65. Every such commissioner may, at any time within one calendar month after such notice, tender amends to the party complaining, or to his agent or attorney; and if the same is not accepted, may plead such tender in bar to any action brought against him, grounded on such writ or process, together with the plea of not guilty, and any other plea, with leave of the court; and if upon issue joined thereon, the jury shall find he amends so tendered to have been sufficient, they shall give a verdict for the defendant; and if the plaintiff shall become nonsuit, or shall discontinue his action, or if judgment shall be given for such defendant upon demurrer, such commissioner shall be entitled to the like costs as he would have been entitled to in case he had pleaded the general issue only; and if upon issue so joined, the jury shall find that no amends were tendered, or that the same were not sufficient, and also against the defendant on such other plea or pleas, they shall give a verdict for the plaintiff, and such damages as they shall think proper, which he shall recover together with costs of suit: provided, that if any such commissioner shall neglect to tender any amends, or shall have tendered insufficient amends before the action brought, he may, by leave of the court where such action shall depend, at any time before issue joined, pay into court such sum of money as he shall think fit, whereupon such proceedings shall be had in court as in other actions where the defendant is allowed to pay money into court, 6 G. 4. c. 16. s. 43.

66. Every action brought against any person for any thing done in pursuance of this act shall be commenced within three calendar months next after the fact committed; and the defendant may plead the general issue, and give this act and the special matter in evidence, and that the same was done by authority of this act; and if it shall appear so to have been done, or that such action was commenced after the time before limited for bringing the same, the jury shall find for the defendant; and if there be a verdict for the defendant, or if the plaintiff shall be nonsuited, or discontinue his action after appearance thereto, or if upon demurrer judgment shall be given against him, the defendant shall recover double costs, 6 G. 4. c. 16. s. 44.

67. It shall be lawful for the commissioners as often as they shall think fit, by writing under their hands, to appoint one or more person or persons as assignee or assignees of the bankrupt's real and personal

estate, or of any part thereof, which assignee or assignees shall or may be removed at the meeting of the creditors for the choice of assignees, if they shall think fit; and such assignee or assignees so removed shall deliver up and assign all the estate of the bankrupt come to his or their possession to the assignees so chosen as hereinafter-mentioned, and all the estate of the bankrupt which shall be so delivered up and assigned, shall be as effectually and legally vested in the assignees so chosen as aforesaid, as if the first assignment had been made to them by the commissioners; and if such first assignee or assignees shall not within ten days after notice given of the said choice of assignees, and of their consent to accept such assignment, signified to the first assignee or assignees by writing under their hands, make such assignment and delivery as aforesaid, every such assignee shall forfeit two hundred pounds, 6 G. 4. c. 16. s. 45.

68. At the three several meetings so appointed by the commissioners as aforesaid, and at every other meeting by them appointed for proof of debts (whereof and of the purport whereof, ten days' notice shall have been given in the *London Gazette*), every creditor of the bankrupt may prove his debt by his own oath; and all bodies politic, and public companies, incorporated or authorized to sue or bring actions [see *Guthrie v. Fish*, 5 B. & C. 178.], either by charter or act of parliament, may prove by an agent, provided such agent shall in his deposition swear that he is such agent as aforesaid, and that he is authorized to make such proof; and if any creditor shall live remote from the place of the meeting of the commissioners, he may prove by affidavit, sworn before a master in chancery, ordinary or extraordinary; or if such creditor shall live out of *England*, by affidavit sworn before a magistrate where such creditor shall be residing, and attested by a notary public, *British* minister, or consul, and no creditor shall pay any contribution on account of any such debt; provided, that it shall be lawful for the said commissioners to examine upon oath, either by word of mouth, or by interrogatories in writing, every person claiming to prove a debt under the said commission, or to require such further proof, and to examine such other persons in relation thereto, as they shall think fit, 6 G. 4. c. 16. s. 46.

69. Every person with whom any bankrupt shall have really and *bonâ fide* contracted any debt or demand before the issuing the commission against him, shall, notwithstanding any prior act of bankruptcy committed by such bankrupt, be admitted to prove the same, and be a creditor under such commission, as if no such act of bankruptcy had been committed, provided such person had not, at the time the same was contracted, notice of any act of bankruptcy by such bankrupt committed, 6 G. 4. c. 16. s. 47.

70. When any bankrupt shall have been indebted, at the time of issuing the commission against him, to any servant or clerk of such bankrupt, in respect of the wages or salary of such servant or clerk, it shall be lawful for the commissioners, upon proof thereof, to order so much as shall be so due as aforesaid, not exceeding six months' wages or salary, to be paid to such servant or clerk out of the estate of such bankrupt; and such servant or clerk shall be at liberty to prove under the commission for any sum exceeding such last-mentioned amount, 6 G. 4. c. 16. s. 48.

71. Where any person shall be an apprentice to a bankrupt at the time of issuing of the commission against him, the issuing of such commission shall be and enure as a complete discharge of the indenture whereby such apprentice was bound to such bankrupt; and if any sum shall have been really and *bonâ fide* paid, by or on the behalf of such apprentice to the bankrupt, as an apprentice fee, it shall be lawful for the commissioners, upon proof thereof, to order any sum to be paid to or for the use of such apprentice which they shall think reasonable, regard being had, in estimating such sum, to the amount of the sum so paid by or on behalf of such apprentice to the bankrupt, and to the time during which such apprentice shall have resided with the bankrupt previous to the issuing of the commission, 6 G. 4. c. 16. s. 49.

72. Where there has been mutual credit given by the bankrupt and any other person, or where there are mutual debts between the bankrupt and any other person, the commissioners shall state the account between them, and one debt or demand may be set against another, notwithstanding any prior act of bankruptcy committed by such bankrupt before the credit given to or the debt contracted by him, and what shall appear due on either side on the balance of such account, and no more, shall be claimed or paid on either side respectively, and every debt or demand hereby made proveable against the estate of the bankrupt, may also be set off in manner aforesaid against such estate; provided that the person claiming the benefit of such set-off had not, when such credit was given, notice of an act of bankruptcy by such bankrupt committed, 6 G. 4. c. 16. s. 50.

73. Any person who shall have given credit to the bankrupt upon valuable consideration, for any money or other matter or thing whatsoever, which shall not have become payable when such bankrupt committed an act of bankruptcy, and whether such credit shall have been given upon any bill, bond, note, or other negotiable security, or not, shall be entitled

to prove such debt, bill, bond, note, or other security, as if the same was payable presently, and receive dividends equally with the other creditors, deducting only thereout a rebate of interest for what he shall so receive, at the rate of five *per cent.*, to be computed from the declaration of a dividend to the time such debt would have become payable, according to the terms upon which it was contracted, 6 G. 4. c. 16. s. 51.

74. Any person who at the issuing the commission shall be surety or liable for any debt of the bankrupt, or bail for the bankrupt, either to the sheriff or to the action, if he shall have paid the debt, or any part thereof in discharge of the whole debt (although he may have paid the same after the commission issued), if the creditor shall have proved his debt under the commission, shall be entitled to stand in the place of such creditor as to the dividends and all other rights under the said commission which such creditor possessed or would be entitled to in respect of such proof; or if the creditor shall not have proved under the commission, such surety or person liable, or bail, shall be entitled to prove his demand in respect of such payment as a debt under the commission, not disturbing the former dividends, and may receive dividends with the other creditors, although he may have become surety, liable, or bail as aforesaid, after an act of bankruptcy committed by such bankrupt; provided that such person had not, when he became such surety or bail, or so liable as aforesaid, notice of any act of bankruptcy by such bankrupt committed, 6 G. 4. c. 16. s. 52.

75. The obligee in any bottomry or respondentia bond, and the assured in any policy of insurance made upon good and valuable consideration, shall be admitted to claim, and after the loss or contingency shall have happened, to prove his debt or demand in respect thereof, and receive dividends with the other creditors, as if the loss or contingency had happened before the issuing the commission against such obligor or insurer; and that the person effecting any policy of insurance upon ships or goods with any person, as a subscriber or underwriter, becoming bankrupt, shall be entitled to prove any loss to which such bankrupt shall be liable in respect of such subscription, although the person so effecting such policy was not beneficially interested in such ships or goods, in case the person or persons so interested is not or are not within the united realm, 6 G. 4. c. 16. s. 53.

76. Any annuity creditor of any bankrupt, by whatever assurance the same be secured, and whether there were or not any arrears of such annuity due at the bankruptcy, shall be entitled to prove for the value of such annuity, which value the commissioners shall ascertain, regard being had to the original price given for the said annuity, deducting therefrom such diminution in the value thereof as shall have been caused by the lapse of time since the grant thereof to the date of the commission, 6 G. 4. c. 16. s. 54.

77. It shall not be lawful for any person entitled to any annuity granted by any bankrupt, to sue any person who may be collateral surety for the payment of such annuity, until such annuitant shall have proved under the commission against such bankrupt for the value of such annuity, and for the payment thereof; and if such surety after such proof pay the amount proved as aforesaid, he shall be thereby discharged from all claims in respect of such annuity; and if such surety shall not (before any payment of the said annuity subsequent to the bankruptcy shall have become due) pay the sum so proved as aforesaid, he may be said [*so in act, but qu. sued*] for the accruing payments of such annuity, until such annuitant shall have paid or satisfied the amount so proved, with interest thereon at the rate of four *per cent. per annum*, from the time of notice of such proof, and of the amount thereof being given to such surety; and after such payment or satisfaction, such surety shall stand in the place of such annuitant in respect of such proof as aforesaid, to the amount so paid or satisfied as aforesaid by such surety; and the certificate of the bankrupt shall be a discharge to him from all claims of such annuitant or of such surety in respect of such annuity; provided that such surety shall be entitled to credit in account with such annuitant for any dividends received by such annuitant under the commission, before such surety shall have fully paid or satisfied the amount so proved as aforesaid, 6 G. 4. c. 16. s. 55. [See *Watkins v. Flanagan*, 1 Bing. 413.]

78. If any bankrupt shall, before the issuing of the commission, have contracted any debt payable upon a contingency which shall not have happened before the issuing of such commission, the person with whom such debt has been contracted may, if he think fit, apply to the commissioners to set a value upon such debt, and the commissioners are hereby required to ascertain the value thereof, and to admit such person to prove the amount so ascertained, and to receive dividends thereon; or if such value shall not be so ascertained before the contingency shall have happened, then such person may, after such contingency shall have happened, prove in respect of such debt, and receive dividend with the other creditors, not disturbing any former dividends; provided such person had not, when such debt was contracted, notice of any act of bankruptcy by such bankrupt committed, 6 G. 4. c. 16. s. 56.

79. In all future commissions against any person or persons liable

upon any bill of exchange or promissory note, whereupon interest is not reserved, overdue at the issuing the commission, the holder of such bill of exchange or promissory note shall be entitled to prove for interest upon the same, to be calculated by the commissioners to the date of the commission, at such rate as is allowed by the Court of King's Bench in actions upon such bills or notes, 6 G. 4. c. 16. s. 57.

80. If any plaintiff in any action at law or suit in equity, or petition in bankruptcy or lunacy, shall have obtained any judgment, decree, or order against any person who shall thereafter become bankrupt for any debt or demand in respect of which such plaintiff or petitioner shall prove under the commission, such plaintiff or petitioner shall also be entitled to prove for the costs which he shall have incurred in obtaining the same, although such costs shall not have been taxed at the time of the bankruptcy, 6 G. 4. c. 16. s. 58.

81. No creditor who has brought any action, or instituted any suit against any bankrupt, in respect of a demand prior to the bankruptcy, or which might have been proved as a debt under the commission against such bankrupt, shall prove a debt under such commission, or have any claim entered upon the proceedings under such commission, without relinquishing such action or suit; and in case such bankrupt shall be in prison or custody at the suit of or detained by such creditor, he shall not prove or claim as aforesaid, without giving a sufficient authority in writing for the discharge of such bankrupt; and the proving or claiming a debt under a commission by any creditor, shall be deemed an election by such creditor to take the benefit of such commission, with respect to the debt so proved or claimed; provided that such creditor shall not be liable to the payment to such bankrupt, or his assignees, of the costs of such action or suit so relinquished by him; and that where any such creditor shall have brought any action or suit against such bankrupt, jointly with any other person or persons, his relinquishing such action or suit against the bankrupt, shall not affect such action or suit against such other person or persons: provided also, that any creditor who shall have so elected to prove or claim as aforesaid, if the commission be afterwards superseded, may proceed in the action as if he had not so elected, and in bailable actions shall be at liberty to arrest the defendant *de novo*, if he has not put in bail below, or perfected bail above, or if the defendant has put in or perfected such bail, to have recourse against such bail, by requiring the bail below to put in and perfect bail above within the first eight days in term, after notice in the *London Gazette* of the superseding such commission, and by suing the bail upon their recognizance, if the condition thereof is broken, 6 G. 4. c. 16. s. 59.

82. Whenever it shall appear to the assignees or to two or more creditors, who have each proved debts to the amount of twenty pounds or upwards, that any debt proved under the commission is not justly due either in whole or in part, such assignees or creditors may make representation thereof to the commissioners; and it shall be lawful for the said commissioners to summon before them and examine upon oath any person who shall have so proved as aforesaid, together with any person whose evidence may appear to the commissioners to be material, either in support of or in opposition to any such debt; and if the said commissioners, upon the evidence given on both sides or (if the person who shall have so proved as aforesaid shall not attend to be examined, having been first duly summoned, or notice having been left at his last place of abode) upon the evidence adduced by such assignees or creditors as aforesaid, shall be of opinion that such debt is not due either wholly or in part, the said commissioners shall be at liberty to expunge the same, either wholly or in part, from the proceedings: provided, that such assignees or creditors requiring such investigation shall, before it is instituted, sign an undertaking, to be filed with the proceedings, to pay such costs as the commissioners shall adjudge to the creditor who has proved such debt as aforesaid, such costs to be recovered by petition: provided also, that such assignees or creditors may apply in the first instance by petition to the lord chancellor, or that either party may petition against the determination of the commissioners, 6 G. 4. c. 16. s. 60.

83. At the second meeting appointed by the commissioners as aforesaid, or any adjournment thereof, assignees of the bankrupt's estate and effects shall be chosen; and all creditors who have proved debts under the commission to the amount of ten pounds and upwards shall be entitled to vote in such choice; and also any person authorized by letter of attorney from any such creditor or creditors, upon proof of the execution thereof, either by affidavit sworn before a master in chancery, ordinary or extraordinary, or by oath before the commissioners *viva voce*, and in case of creditors residing out of *England*, by oath before a magistrate where the party shall be residing, duly attested by a notary public, *British* minister or consul, and the choice shall be made by the major part in value of the creditors so entitled to vote: provided that the commissioners shall have power to reject any person so chosen who shall appear to them unfit to be such assignee as aforesaid, and upon such rejection a new choice of another assignee or assignees shall be made as aforesaid, 6 G. 4. c. 16. s. 61.

84. In all commissions against one or more of the partners of a firm,

any creditor to whom the bankrupt is indebted, jointly with the other partner or partners of the said firm, or any of them, shall be entitled to prove his debt under such commission for the purpose only of voting in the choice of assignees under such commission, and of assenting to or dissenting from the certificate of such bankrupt, or of either of such purposes; but such creditors shall not receive any dividend out of the separate estate of the bankrupt until all the separate creditors shall have received the full amount of their respective debts, unless such creditor shall be a petitioning creditor in a commission against one member of a firm, 6 G. 4. c. 16. s. 62.

85. The commissioners shall assign to the assignees, for the benefit of the creditors of the bankrupt, all the present and future personal estate of such bankrupt wheresoever the same may be found or known, and all property which he may purchase, or which may revert, descend, be devised or bequeathed or come to him, before he shall have obtained his certificate; and the commissioners shall also assign as aforesaid all debts due or to be due to the bankrupt wheresoever the same may be found or known, and such assignment shall vest the property, right, and interest in such debts in such assignees, as fully as if the assurance whereby they are secured had been made to such assignees; and after such assignment, neither the bankrupt nor any person claiming through or under him shall have power to recover the same, nor to make any release or discharge thereof, neither shall the same be attached as the debt of the bankrupt by any person according to the custom of the city of London or otherwise, but such assignees shall have like remedy to recover the same in their own names as the bankrupt himself might have had if he had not been adjudged bankrupt, 6 G. 4. c. 16. s. 63.

86. The commissioners shall, by deed indented and inrolled in any of H. M.'s courts of record, convey to the said assignees, for the benefit of the creditors as aforesaid, all lands, tenements, and hereditaments, except copy or customaryhold in *England, Scotland, Ireland*, or in any of the dominions, plantations, or colonies belonging to H. M., to which any bankrupt is entitled, and all interest to which such bankrupt is entitled in any of such lands, tenements, or hereditaments, and of which he might, according to the laws of the several countries, dominions, plantations, or colonies have disposed, and all such lands, tenements, and hereditaments as he shall purchase, or shall descend, be devised, revert to, or come to such bankrupt before he shall have obtained his certificate, and all deeds, papers, and writings respecting the same, and every such deed shall be valid against the bankrupt, and against all persons claiming under him: provided, that where according to the laws of any such plantation or colony such deed would require registration, enrolment, or recording, the same shall be so registered, enrolled, or recorded, according to the laws of such plantation or colony, and no such deed shall invalidate the title of any purchaser for valuable consideration prior to such registration, enrolment, or recording, without notice that the commission has issued, 6 G. 4. c. 16. s. 66.

87. The commissioners shall by deed, indented and enrolled as aforesaid, make sale for the benefit of the creditors as aforesaid of any lands, tenements, and hereditaments, situate either in *England* or *Ireland*, whereof the bankrupt is seised of any estate tail in possession, reversion, or remainder, and whereof no reversion or remainder is in the Crown, the gift or provision of the Crown, and every such deed shall be good against the said bankrupt and the issue of his body, and against all persons claiming under him after he became bankrupt, and against all persons whom the said bankrupt by fine, common recovery, or any other means, might cut off or debar from any remainder, reversion, or other interest, in or out of any of the said lands, tenements, and hereditaments, 6 G. 4. c. 16. s. 65.

88. The lord chancellor may, upon petition, order any conveyance or assignment either of the real or personal estate of the bankrupt, made either to assignees appointed by the commissioners or chosen by the creditors, and any enrolment thereof, to be vacated, provided that no title of any purchaser under any conveyance prior to such order be thereby affected, and that no estate previously barred be thereby revived; and the lord chancellor may order the commissioners to execute a new assignment or assignments of the debts and effects unreceived and not disposed of by the then assignee or assignees to any other person or persons to be chosen by the creditors as aforesaid, or to execute a new conveyance of the real estate unsold or not conveyed to such person or persons, and in such manner as the lord chancellor shall direct: and if such new assignment shall be ordered, the debts and personal estate of the bankrupt shall be thereby vested in such new assignees, and it shall be lawful for them to sue for the same, and to discharge any action or suit, or to give any acquaintance for such debts, as effectually as the former assignees might have done; and the commissioners shall, in the two *London Gazettes* next after the removal of such assignee or assignees, and such new appointment as aforesaid, cause advertisements to be inserted giving notice of such removal and appointment, and directing persons indebted to the bankrupt's estate not to pay any debt to the as-

signee or assignees so removed; and if such new conveyance as aforesaid shall be ordered as aforesaid, it shall be valid without any conveyance from any former assignee or assignees, or his or their heirs or assigns, provided that the order so made for vacating any bargain and sale be enrolled; and any bargain and sale to be executed in pursuance thereof shall be enrolled in the same court as the first bargain and sale of the same estate was enrolled, 6 G. 4. c. 16. s. 66.

89. Whenever an assignee shall die, or a new assignee or assignees shall be chosen as aforesaid, no action at law or suit in equity shall be thereby abated, but the court in which any action or suit is depending may, upon the suggestion of such death or removal and new choice, allow the name of the surviving or new assignee or assignees to be substituted in the place of the former; and such action or suit shall be prosecuted in the name or names of the said surviving or new assignee or assignees, in the same manner as if he or they had originally commenced the same, 6 G. 4. c. 16. s. 67.

90. The commissioners shall have power, by deed indented and enrolled in any of H. M.'s courts of record, to make sale, for the benefit of the creditors, of any copyhold or customaryhold lands, or of any interest to which any bankrupt is entitled therein, and thereby to entitle or authorize any person or persons on their behalf to surrender the same for the purpose of any purchaser or purchasers being admitted thereto, 6 G. 4. c. 16. s. 68.

91. Every person, to whom any sale of copyhold or customary lands or tenements shall be made by the commissioners, shall, before he enter into or take any profit of the same, agree and compound with the lords of the manors of whom the same shall be holden, for fines, dues, and other services as theretofore have been usually paid for the same, and thereupon the said lords shall, at the next or any subsequent court to be holden for the said manors, grant unto such vendee, upon request, the said copy or customary lands or tenements for such estate or interest as shall have been so sold to him as aforesaid, reserving the ancient rents, customs, and services, and shall admit him tenant of the same, 6 G. 4. c. 16. s. 69.

92. If any bankrupt shall have granted, conveyed, assured, or pledged any real or personal estate, or deposited any deeds, such grant, conveyance, assurance, pledge, or deposit being upon condition or power of redemption at a future day, by payment of money or otherwise, the assignees may, before the time of the performance of such condition make tender or payment of money, or other performance, according to such condition, as fully as the bankrupt might have done, and after such tender, payment, or performance, may sell and dispose of such real or personal estate for the benefit of the creditors as aforesaid, 6 G. 4. c. 16. s. 70.

93. If any real or personal estate or debts of any bankrupt be extended after he shall have become bankrupt, by any person, under pretence of his being an accountant of or debtor to the king, the commissioners may examine upon oath, whether the said debt was due to such debtor or accountant upon any contract originally made between such accountant and the bankrupt, and if such contract was originally made with any other person than the said debtor or accountant, or in trust for any other person or persons, the commissioners may sell and dispose of such real and personal estate or debts for the benefit of the creditors under the commission and such sale shall be valid against the said extent, and all persons claiming under it; and any person to whom the said real and personal estate or debts shall be bargained, sold, granted, or assigned by the commissioners, shall have and may recover the same against any person who shall detain the same, 6 G. 4. c. 16. s. 71.

94. If any bankrupt, at the time he becomes bankrupt, shall, by the consent and permission of the true owner thereof, have in his possession, order, or disposition any goods or chattels, whereof he was reputed owner, or whereof he had taken upon him the sale, alteration, or disposition as owner, the commissioners shall have power to sell and dispose of the same for the benefit of the creditors under the commission: provided, that nothing herein contained shall invalidate or affect any transfer or assignment of any ship or vessel, or any share thereof, made as a security for any debt or debts, either by way of mortgage or assignment, duly registered according to the provisions of 4 G. 4. c. 41. intitled *An Act for the Registering of Vessels*, 6 G. 4. c. 16. s. 72. [The 4 G. 4. c. 41. is repealed by 6 G. 4. c. 105, but see 6 G. 4. c. 110. tit. SHIPPING.]

95. If any bankrupt, being at the time insolvent, shall (except upon the marriage of any of his children, or for some valuable consideration), have conveyed, assigned, or transferred to any of his children, or any other person, any hereditaments, offices, fees, annuities, leases, goods, or chattels, or have delivered or made over to any such person any bills, bonds, notes, or other securities, or have transferred his debt to any other person or persons, or into any other person's name, the commissioners shall have power to sell and dispose of the same as aforesaid; and every such sale shall be valid against the bankrupt, and such children and persons as aforesaid, and against all persons claiming under him, 6 G. 4. c. 16. s. 73.

96. No distress for rent made and levied after an act of bankruptcy upon the goods or effects of any bankrupt (whether before or after the issuing of the commission), shall be available for more than one year's rent, accrued prior to the date of the commission, but the landlord or party to whom the rent shall be due, shall be allowed to come in as a creditor under the commission for the overplus of the rent due, and for which the distress shall not be available. 6 G. 4. c. 16. s. 74.

97. Any bankrupt entitled to any lease or agreement for a lease, if the assignees accept the same, shall not be liable to pay any rent accruing after the date of the commission, or to be sued in respect of any subsequent nonobservance or nonperformance of the conditions, covenants, or agreements therein contained; and if the assignees decline the same, shall not be liable as aforesaid, in case he deliver up such lease or agreement to the lessor or such person agreeing to grant a lease, within fourteen days after he shall have had notice that the assignees shall have declined as aforesaid; and if the assignees shall not (upon being thereto required) elect whether they will accept or decline such lease or agreement for a lease, the lessor or person so agreeing as aforesaid, or any person entitled under such lessor or person so agreeing, shall be entitled to apply by petition to the lord chancellor, who may order them so to elect and to deliver up such lease or agreement, in case they shall decline the same, and the possession of the premises, or may make such other order therein as he shall think fit, 6 G. 4. c. 16. s. 75.

98. If any bankrupt shall have entered into any agreement for the purchase of any estate or interest in land, the vendor thereof, or any person claiming under him, if the assignees of such bankrupt shall not (upon being thereto required) elect whether they will abide by and execute such agreement, or abandon the same, shall be entitled to apply by petition to the lord chancellor, who may thereupon order them to deliver up the said agreement, and the possession of the premises, to the vendor or person claiming under him, or may make such other order therein as he shall think fit, 6 G. 4. c. 16. s. 76.

99. All powers vested in any bankrupt which he might legally execute for his own benefit (except the right of nomination to any vacant ecclesiastical benefice) may be executed by the assignees for the benefit of the creditors, in such manner as the bankrupt might have executed the same, 6 G. 4. c. 16. s. 77.

100. It shall be lawful for the lord chancellor upon the petition of the assignees or of any purchaser from them, of any part of the bankrupt's estate, if such bankrupt shall not try the validity of the commission, or if there shall have been a verdict at law establishing its validity, to order the bankrupt to join in any conveyance of such estate, or any part thereof; and if he shall not execute such conveyance within the time directed by the order, such bankrupt and all persons claiming under him shall be stopped from objecting to the validity of such conveyance; and all estate, right, or title which such bankrupt had therein, shall be as effectually barred by such order as if such conveyance had been executed by him, 6 G. 4. c. 16. s. 78.

101. If any bankrupt shall as trustee be seised, possessed of, or entitled to, either alone or jointly, any real or personal estate, or any interest secured upon or arising out of the same, or shall have standing in his name as trustee, either alone or jointly, any government stock, funds, or annuities, or any of the stock of any public company, either in *England*, *Scotland*, or *Ireland*, it shall be lawful for the lord chancellor on the petition of the person or persons entitled in possession to the receipt of the rents, issues, and profits, dividends, interest, or produce thereof, on due notice given to all other persons (if any) interested therein, to order the assignees, and all persons whose act or consent thereto is necessary, to convey, assign, or transfer the said estate, interest, stock, funds, or annuities to such person or persons as the lord chancellor shall think fit, upon the same trusts as the said estate, interest, stock, funds, or annuities were subject to before the bankruptcy, or such of them as shall be then subsisting and capable of taking effect; and also to receive and pay over the rents, issues, and profits, dividends, interest, or produce thereof, as the lord chancellor shall direct, 6 G. 4. c. 16. s. 79.

102. If any such bankrupt shall have any government stock, funds, or annuities, or any of the stock of any public company, either in *England*, *Scotland*, or *Ireland*, standing in his name in his own right, it shall be lawful for the commissioners, by writing under their hands, to order all persons whose act or consent is thereto necessary, to transfer the same into the name of the assignees, and to pay all dividends upon the same to such assignees; and all such persons whose act or consent is so necessary as aforesaid are hereby indemnified for all things done or permitted pursuant to such order, 6 G. 4. c. 16. s. 80.

103. All conveyances by, and all contracts and other dealings and transactions by and with any bankrupt, *bonâ fide* made and entered into more than two calendar months before the date and issuing of the commission against him, and all executions and attachments against the lands and tenements or goods and chattels of such bankrupt, *bonâ fide* executed or levied more than two calendar months before the issuing

of such commission, shall be valid, notwithstanding any prior act of bankruptcy by him committed; provided the person or persons so dealing with such bankrupt, or at whose suit or on whose account such execution or attachment shall have issued, had not at the time of such conveyance, contract, dealing, or transaction, or at the time of executing or levying such execution or attachment, notice of any prior act of bankruptcy by him committed: provided also, that where a commission has been superseded, if any other commission shall issue against any person or persons comprised in such first commission, within two calendar months next after it shall have been superseded, no such conveyance, contract, dealing, or transaction, execution or attachment, shall be valid, unless made, entered into, executed, or levied more than two calendar months before the issuing the first commission, 6 G. 4. c. 16. s. 81.

104. All payments really and *bonâ fide* made, or which shall hereafter be made by any bankrupt, or by any person on his behalf, before the date and issuing of the commission against such bankrupt, to any creditor of such bankrupt (such payment not being a fraudulent preference of such creditor), shall be deemed valid, notwithstanding any prior act of bankruptcy by such bankrupt committed; and all payments really and *bonâ fide* made, or which shall hereafter be made to any bankrupt before the date and issuing of the commission against such bankrupt, shall be deemed valid, notwithstanding any prior act of bankruptcy by such bankrupt committed; and such creditor shall not be liable to refund the same to the assignees of such bankrupt, provided the person so dealing with the said bankrupt had not, at the time of such payment by or to such bankrupt, notice of any act of bankruptcy by such bankrupt committed, 6 G. 4. c. 16. s. 82.

105. The issuing of a commission shall be deemed notice of a prior act of bankruptcy (if an act of bankruptcy had been actually committed before the issuing the commission), if the adjudication of the person or persons against whom such commission has issued shall have been notified in the *London Gazette*, and the person or persons to be affected by such notice may reasonably be presumed to have seen the same, 6 G. 4. c. 16. s. 83.

106. No person or body corporate, or public company, having in his or their possession or custody any money, goods, wares, merchandizes, or effects belonging to any bankrupt, shall be endangered by reason of the payment or delivery thereof to the bankrupt or his order; provided such person or company had not, at the time of such delivery or payment, notice that such bankrupt had committed an act of bankruptcy, 6 G. 4. c. 16. s. 84.

107. If any accredited agent of any body corporate or public company shall have had notice of any act of bankruptcy, such body corporate or company shall be hereby deemed to have had such notice, 6 G. 4. c. 16. s. 85.

108. No purchase from any bankrupt *bonâ fide* and for valuable consideration, where the purchaser had notice at the time of such purchase of an act of bankruptcy by such bankrupt committed, shall be impeached by reason thereof, unless the commission against such bankrupt shall have been sued out within twelve calendar months after such act of bankruptcy, 6 G. 4. c. 16. s. 86.

109. No title to any real or personal estate sold under any commission, or under any order in bankruptcy, shall be impeached by the bankrupt, or any person claiming under him, in respect of any defect in the suing out of the commission, or in any of the proceedings under the same, unless the bankrupt shall have commenced proceedings to supersede the said commission, and duly prosecuted the same, within twelve calendar months from the issuing thereof, 6 G. 4. c. 16. s. 87.

110. The assignees with the consent of the major part in value of creditors who shall have proved under the commission, present at any meeting, whereof and of the purport whereof twenty-one days notice shall have been given in the *London Gazette*, may compound with any debtor to the bankrupt's estate, and take any reasonable part of the debt in discharge of the whole, or may give time or take security for the payment of such debt, or may submit any dispute between such assignees, and any persons, concerning any matter relating to such bankrupt's estate, to the determination of arbitrators to be chosen by the assignees and the major part in value of such creditors, and the party with whom they shall have such dispute, and the award of such arbitrators shall be binding on all the creditors; and the assignees are hereby indemnified for what they shall do according to the directions aforesaid, and no suit in equity shall be commenced by the assignees without such consent as aforesaid; provided that if one-third in value or upwards of such creditors shall not attend at any such meeting (whereof such notice shall have been given as aforesaid), the assignees shall have power, with the consent of the commissioners testified in writing under their hands, to do any of the matters aforesaid, 6 G. 4. c. 16. s. 88.

111. In any commission against any one or more member or members of a firm, the lord chancellor may, upon petition, authorize the assignees to commence or prosecute any action at law, or suit in equity, in the

names of such assignees and of the remaining partner or partners, against any debtor of the partnership, and may obtain such judgment, decree, or order therein as if such action or suit had been instituted with the consent of such partner or partners; and if such partner or partners shall execute any release of the debt or demand for which such action or suit is instituted, such release shall be void; provided that every such partner, if no benefit is claimed by him by virtue of the said proceedings, shall be indemnified against the payment of any costs in respect of such action or suit: and that it shall be lawful for the lord chancellor, upon the petition of such partner, to direct that he may receive so much of the proceeds of such action or suit as the lord chancellor shall think fit, 6 G. 4. c. 16. s. 89.

112. In any action by or against any assignee, or in any action against any commissioner or person acting under the warrant of the commissioners, for any thing done as such commissioner, or under such warrant, no proof shall be required at the trial of the petitioning creditor's debt or debts, or of the trading or act or acts of bankruptcy respectively, unless the other party in such action shall, if defendant, at or before pleading, and, if plaintiff, before issue joined, give notice in writing to such assignee, commissioner, or other person, that he intends to dispute some and which of such matters; and in case such notice shall have been given, if such assignee, commissioner, or other person shall prove the matter so disputed, or the other party admit the same, the judge before whom the cause shall be tried may (if he thinks fit) grant a certificate of such proof or admission; and such assignee, commissioner, or other person, shall be entitled to the costs to be taxed by the proper officer occasioned by such notice, and such costs shall, if such assignee, commissioner, or other person shall obtain a verdict, be added to the costs; and, if the other party shall obtain a verdict, shall be deducted from the costs which such other party would otherwise be entitled to receive from such assignee, commissioner, or other person, 6 G. 4. c. 16. s. 90.

113. In all suits in equity by or against the assignees, no proof shall be required at the hearing of the petitioning creditor's debt or debts, or of the trading or act or acts of bankruptcy respectively, as against any of the parties in such suit, except such parties as shall, within ten days after rejoinder, give notice in writing to the assignees of his or their intention to dispute some and which of such matters; and where such notice shall have been given, if the assignees shall prove the matter so disputed, the costs occasioned by such notice, to be taxed by the proper officer, shall, if the court see fit, be paid by the party or parties so giving such notice as aforesaid, and the service of such notice may be proved by affidavit upon hearing of the cause, 6 G. 4. c. 16. s. 91.

114. If the bankrupt shall not (if he was within the U. K. at the issuing of the commission) within two calendar months after the adjudication, or (if he was out of the U. K.) within twelve calendar months after the adjudication, have given notice of his intention to dispute the commission, and have proceeded therein with due diligence, the depositions taken before the commissioners at the time of, or previous to the adjudication of the petitioning creditor's debt or debts, and of the trading and act or acts of bankruptcy, shall be conclusive evidence of the matters therein respectively contained, in all actions at law, or suits in equity, brought by the assignees for any debt or demand for which the bankrupt might have sustained any action or suit, 6 G. 4. c. 16. s. 92.

115. If the assignees commence any action or suit for any money so due to the bankrupt, before the time allowed as aforesaid for him to dispute the commission shall have elapsed, any defendant in any such action or suit shall be entitled, after notice given to the assignees to pay the same, or any part thereof, into the court in which such action or suit is brought, and all proceedings with respect to the money so paid into court shall thereupon be stayed, and after the time aforesaid shall have elapsed, the assignees shall have the same paid to them out of court, 6 G. 4. c. 16. s. 93.

116. All persons from whom the assignees shall have recovered any real or personal estate either by judgment or decree, are hereby discharged, in case the commission be afterwards superseded, from all demands which may thereafter be made in respect of the same by the person or persons against whom such commission issued, and all persons claiming under him or them; and all persons who shall without action or suit *bonâ fide* deliver up possession of any real or personal estate to the assignees, or pay any debt claimed by them, are hereby discharged from all claim of any such person or persons as aforesaid in respect of the same, or any person claiming under him or them; provided such notice to try the validity of the commission had not been given, and been proceeded in within the time and in manner aforesaid, 6 G. 4. c. 16. s. 94.

117. All things done pursuant to 5 G. 2. c. 50. and hereby repealed, whereby it was enacted, that the lord chancellor should appoint a place where all matters relating to commissions of bankruptcy should be entered of record, and should appoint a person to have the custody thereof, [shall, omitted in Act] be hereby confirmed; and the lord chancellor shall be at liberty from time to time, by writing under his hand, to appoint a proper person, who shall by himself or his deputy (to be approved by the

said lord chancellor) enter of record all matters relating to commissions, and have the custody of the entries thereof; and the person so to be appointed, and his deputy, shall continue in their respective offices so long as they shall respectively behave themselves well, and shall not be removed, except by order in writing under the hand of the lord chancellor on sufficient cause therein specified, 6 G. 4. c. 16. s. 95.

118. In all commissions issued after this act shall have taken effect, no commission of bankruptcy, adjudication of bankruptcy by the commissioners, or assignment of the personal estate of the bankrupt, or certificate of conformity, shall be received as evidence in any court of law or equity, unless the same shall have been first so entered of record as aforesaid; and the person so appointed to enter matters of record as aforesaid, shall be entitled to receive for such entry of every such commission, adjudication of bankruptcy, assignment, or order for vacating the same respectively, having the certificate of such entry indorsed thereon respectively, the fee of two shillings each, and for the entry of every certificate of conformity, having the like certificate indorsed thereon, six shillings; and every such instrument shall be so entered of record upon the application of, or on behalf of any party interested therein, and on payment of the several fees aforesaid, without any petition in writing presented for that purpose; and the lord chancellor may, upon petition, direct any depositions, proceedings, or other matter relating to commissions of bankruptcy, to be entered of record as aforesaid, and also appoint such fee and reward for the labour therein of the person so appointed as aforesaid, as the lord chancellor shall think reasonable; and all persons shall be at liberty to search for any of the matters so entered of record as aforesaid: provided, that on the production in evidence of any instrument so directed to be entered of record, having the certificate thereon, purporting to be signed by the person so appointed to enter the same, or by his deputy, the same shall, without any proof of such signature, be received as evidence of such instrument having been so entered of record as aforesaid, 6 G. 4. c. 16. s. 96.

119. In every action, suit, or issue, office copies of any original instrument or writing, filed in the office or officially in the possession of the lord chancellor's secretary of bankrupts, shall be evidence to be received of every such original instrument or writing respectively; and if any such original instrument or writing shall be produced on any trial, the costs of producing the same shall not be allowed on taxation, unless it appears that the production of such original instrument or other writing was necessary.

120. After this act shall have come into effect all commissions of bankrupt, and also all deeds, conveyances, assignments, surrenders, admissions, and other assurances of, or to, or relating solely to any freehold, leasehold, copyhold, or customary messuages, lands, or tenements, or any mortgage, charge, or other incumbrance upon, or any estate, right, or interest of and in any messuages, lands, tenements, or personal estate, being the estate of or belonging to any bankrupt or bankrupts, or part or parcel thereof, and which after the execution of such deeds, conveyances, assignments, surrenders, or assurances respectively shall, either at law or in equity, be or remain the estate and property of such bankrupt or bankrupts, or the assignee or assignees appointed or chosen by virtue of the commission issued against him or them respectively, and also all powers of attorney, writs of supersedeas and procedendo, certificates of conformity, affidavits, and all other instruments and writings whatsoever relating solely to the estate or effects of any bankrupt or bankrupts, or any part thereof, or to any proceedings under any commission of bankrupt, and all advertisements inserted in the *London Gazette* relating solely to matters in bankruptcy, shall not be liable to any stamp duty or any other government duty whatsoever, and all sales of any real or personal estate of any bankrupt or bankrupts shall not be liable to any auction duty, 6 G. 4. c. 16. s. 98.

121. Any bankrupt or other person who shall, in any examination before the commissioners, or in any affidavit or deposition authorized or directed by the present or any act hereby repealed, wilfully and corruptly swear falsely, being convicted thereof, shall suffer the pains and penalties in force against wilful and corrupt perjury; and where any oath is hereby directed or required to be taken or administered, or affidavit to be made by or to any party, such party, if a quaker, shall or may make solemn affirmation, and such quaker shall incur such danger or penalty for refusing to make such solemn affirmation in such matters, when thereto required, as is hereby provided against persons refusing to be sworn; and all quakers who shall in any such affirmation, knowingly and wilfully affirm falsely, shall suffer the same penalties as are provided against persons guilty of wilful and corrupt perjury; and all persons before whom oaths or affidavits are hereby directed to be made are respectively empowered to administer the same, and also such solemn affirmation as aforesaid, 6 G. 4. c. 16. s. 99.

122. All sums of money forfeited under this act, or by virtue of any conviction for perjury committed in any oath hereby directed or authorized, may be sued for by the assignees in any of H. M.'s courts of re-

cord; and the money so recovered (the charges of suit being deducted) shall be divided among the creditors, 6 G. 4. c. 16. s. 100.

123. The assignees shall keep an account, wherein they shall enter all property of the bankrupt received by them, and all payments made by them on account of the bankrupt's estate, which account every creditor who shall have proved may inspect at all seasonable times; and it shall be lawful for the commissioners, at all times, by writing under their hands, to summon the assignees before them, and require them to produce all books, papers, deeds, writings, and other documents relating to the bankruptcy, in their possession; and if such assignees so summoned shall not come before the commissioners at the time appointed (having no impediment made known to the commissioners at the time of their meeting, and allowed by them), it shall be lawful for the said commissioners, by warrant under their hands and seals, directed to such person as they shall think fit, to cause such assignees to be brought before them; and upon their refusing to produce such books, deeds, writings, papers, or documents as aforesaid, it shall be lawful for the said commissioners to commit the party so refusing to such prison as they shall think fit, there to remain without bail, until such party shall submit himself to the said commissioners, 6 G. 4. c. 16. s. 101.

124. At the meeting of creditors for the choice of assignees, the major part in value of such creditors there present may direct how, and with whom, and where the money received from time to time out of the estate shall be paid in and remain until it be divided; and if such creditors shall not make such direction as aforesaid, the commissioners shall, immediately after such choice, and at the same meeting, make such direction; but no money shall be directed to be paid into the hands of any of the commissioners, or of the solicitor to the commission, or into any banking house, or other house of trade in which any such commissioner, assignee, or solicitor is interested, 6 G. 4. c. 16. s. 102.

125. The commissioners may, as often as it shall appear to them expedient for the bankrupt's estate, direct any money, part of such estate, to be invested in the purchase of exchequer bills, for the benefit of the creditors, and may direct where and with whom such exchequer bills shall be kept, and cause such exchequer bills to be sold when it shall appear to them expedient, and may direct the proceeds thereof to be again laid out in the purchase of exchequer bills, or to be applied for the benefit of the creditors, subject to the controul of the lord chancellor, 6 G. 4. c. 16. s. 103.

126. If any assignee shall retain in his hands, or employ for his own benefit, or knowingly permit any co-assignee so to retain or employ any sum to the amount of one hundred pounds or upwards, part of the estate of the bankrupt, or shall neglect to invest any money in the purchase of exchequer bills, when so directed as aforesaid, every such assignee shall be liable to be charged in his accounts with such sum as shall be equal to interest at the rate of twenty *per cent.* on all such money, for the time during which he shall have so retained or employed the same, or permitted the same to be so retained or employed as aforesaid, or during which he shall have so neglected to invest the same in the purchase of exchequer bills, and the commissioners are hereby required to charge every such assignee in his accounts accordingly, 6 G. 4. c. 16. s. 104.

127. If any assignee indebted to the estate of which he is such assignee, in respect of money so retained or employed by him as aforesaid, become bankrupt, if he shall obtain his certificate it shall only have the effect of freeing his person from arrest and imprisonment; but his future effects (his tools of trade, necessary household goods, and the necessary wearing apparel of himself, his wife and children excepted) shall remain liable for so much of his debts to the estate of which he was assignee, as shall not be paid by dividends under his commission, together with lawful interest for the whole debt, 6 G. 4. c. 16. s. 105.

128. The commissioners shall, at the meeting appointed for the last examination of the bankrupt, appoint a public meeting, not sooner than four calendar months from the issuing of the commission, nor later than six calendar months from the last examination of the bankrupt, whereof, and of the purport whereof, they shall give twenty-one days notice in the *London Gazette*, to audit the accounts of the assignees; and the assignees at such meeting shall deliver upon oath a true statement in writing of all money received by them respectively, and when and on what account, and how the same have been employed; and the commissioners shall examine such statement, and compare the receipts with the payments, and ascertain what balances have been from time to time in the hands of such assignees respectively, and shall inquire whether any sum appearing to be in their hands ought to be retained; and it shall be lawful for the said commissioners to examine the said assignees upon oath, touching the truth of such accounts, and in such accounts the said assignees shall be allowed to retain all such money as they shall have expended in suing out and

prosecuting such commission, and all other just allowances, 6 G. 4. c. 16. s. 106.

129. The commissioners shall, not sooner than four nor later than twelve calendar months from the issuing the commission, appoint a public meeting (whereof and of the purport whereof they shall give twenty-one days notice in the *London Gazette*), to make a dividend of the bankrupt's estate, at which meeting all creditors who have not proved their debts shall be entitled to prove the same; and the said commissioners at such meeting shall order such part of the net produce of the bankrupt's estate in the hands of the assignees, as they shall think fit, to be forthwith divided amongst such creditors as have proved debts under the commission, in proportion to their respective debts, and shall make an order for a dividend in writing under their hands, and shall cause one part of such order to be filed amongst the proceedings under the commission, and shall deliver another part thereof to the assignees, which order shall contain an account of the time and place of making such order, of the amount of the debts proved, of the money remaining in the hands of the assignees to be divided, of how much in the pound is then ordered to be paid to every creditor, and of the money allowed by the commissioners to be retained by the assignees, with their reasons for allowing the same to be so retained; and the assignees, in pursuance of such order (and without any deed of distribution made for that purpose), shall forthwith make such dividend, and shall take receipts in a book to be kept for that purpose, from each creditor, for the dividend received by such creditor; and such order and receipt shall be a discharge to every such assignee for so much as he shall pay pursuant to such order; and no dividend shall be declared, unless the accounts of the assignees shall have been first so audited as aforesaid, and such statement delivered by them upon oath as aforesaid, 6 G. 4. c. 16. s. 107.

130. No creditor having security for his debt, or having made any attachment in *London*, or any other place, by virtue of any custom there used, of the goods and chattels of the bankrupt, shall receive upon any such security or attachment more than a rateable part of such debt, except in respect of any execution or extent served and levied, by seizure upon, or any mortgage of or lien upon any part of the property of such bankrupt before the bankruptcy; provided that no creditor, though for a valuable consideration, who shall sue out execution upon any judgment obtained by default, confession, or *nil dicit*, shall avail himself of such execution to the prejudice of other fair creditors, but shall be paid rateable with such creditors, 6 G. 4. c. 16. s. 108.

131. If the bankrupt's estate shall not have been wholly divided upon the first dividend, the commissioners shall, within eighteen calendar months after the issuing of the commission, appoint a public meeting, (whereof and of the purport whereof they shall give twenty-one days notice in the *London Gazette*), to make a second dividend of the bankrupt's estate, when all creditors who have not proved their debts may prove the same; and the commissioners at such meeting, after taking such audit as herein-before [s. 108. *pl.* 130.] directed, shall order the balance in the hands of the assignees to be forthwith divided amongst such of the creditors as shall have proved their debts; and such second dividend shall be final, unless any action at law or suit in equity be depending, or any part of the estate be standing out, not sold or disposed of, or unless some other estate or effects of the bankrupt shall afterwards come to the assignees, in which case they shall, as soon as may be, convert such estate and effects into money, and within two calendar months after the same shall be so converted, divide the same in manner aforesaid, 6 G. 4. c. 16. s. 109.

132. If any assignee under any commission of bankrupt shall have, either in his own hands or at any bankers, or otherwise subject to his order or disposition, or to his knowledge in the hands of, or in the order and disposition of himself and any co-assignee or co-assignees, or of any or either of them, any unclaimed dividend or dividends, amounting in the whole to the sum of fifty pounds, and shall not within six months after this act shall have taken effect, or two calendar months after the expiration of one year after the declaration and order of payment of such dividend or dividends made by the commissioners, either pay to the creditor or creditors entitled thereto, or cause a certificate thereof to be filed in the office of the lord chancellor's secretary of bankrupts, containing a full and true account of the name or names of the creditor or creditors to whom such unclaimed dividend or dividends is or are respectively due, and of the amount of such dividend or dividends respectively (such account being signed by the assignee or assignees rendering the same, and attested by the solicitor to the commission, or the solicitor to the assignee or assignees signing the same), such assignee or assignees shall be charged, in account with the estate of the bankrupt, interest upon such unclaimed dividend or dividends, to be computed from the time that such certificate is hereby directed to be filed, at the rate of five pounds *per cent. per annum*, for such time as he shall thenceforth retain the same, and also such further sum as the

commissioners shall think fit, not exceeding in the whole twenty pounds *per cent. per annum*; and the lord chancellor, or the said commissioners, may order the investment of any unclaimed dividends in the public funds, or in any government security, for or on account of the creditors entitled, and subject to such order as the lord chancellor may think fit to make respecting the same, who, if he shall think fit, may, after the same shall have remained unclaimed for the space of three years from the declaration of such dividends by the commissioners, order the same to be divided amongst and paid to the other creditors, and the proof of the creditors to whom such dividends were allotted shall from thenceforth be considered as void as to the same, but renewable as to any future dividends, to place them *pari passu* with the other creditors, but not to disturb any dividends which shall have been previously made, 6 G. 4. c. 16. s. 110.

133. No action for any dividend shall be brought against the assignees by any creditor who shall have proved under the commission, but if the assignees shall refuse to pay any such dividend, the lord chancellor may, on petition, order payment thereof, with interest for the time that it shall have been withheld, and the costs of the application, 6 G. 4. c. 16. s. 111.

134. If any person against whom any commission has been issued, or shall hereafter be issued, whereupon such person hath been or shall be declared bankrupt, shall not, before three of the clock upon the forty-second day after notice thereof in writing to be left at the usual place of abode of such person, or personal notice in case such person be then in prison, and notice given in the *London Gazette* of the issuing of the commission, and of the meetings of the commissioners, surrender himself to them, and sign or subscribe such surrender, and submit to be examined before them, from time to time, upon oath, or, being a quaker, upon solemn affirmation; or if any such bankrupt upon such examination shall not discover all his real or personal estate, and how and to whom, upon what consideration, and when he disposed of, assigned, or transferred any of such estate, and all books, papers, and writings relating thereunto (except such part as shall have been really and *bonâ fide* before sold or disposed in the way of his trade, or laid out in the ordinary expence of his family); or if any such bankrupt shall not upon such examination deliver up to the commissioners all such part of such estate, and all books, papers, and writings relating thereunto, as be in his possession, custody, or power (except the necessary wearing apparel of himself, his wife and children); or if any such bankrupt shall remove, conceal, or embezzle any part of such estate, to the value of ten pounds or upwards, or any books of account, papers, or writings relating thereto, with intent to defraud his creditors, every such bankrupt shall be deemed guilty of felony, and be liable to be transported for life, or for such term, not less than seven years, as the court before which he shall be convicted shall adjudge, or shall be liable to be imprisoned only, or imprisoned and kept to hard labour in any common gaol, penitentiary house, or house of correction, for any term not exceeding seven years, 6 G. 4. c. 16. s. 112.

135. The Lord Chancellor shall have power, as often as he shall think fit, from time to time to enlarge the time for the bankrupt surrendering himself for such time as the lord chancellor shall think fit, so as every such order be made six days at least before the day on which such bankrupt was to surrender himself, 6 G. 4. c. 16. s. 113.

136. It shall be lawful for the commissioners, before the choice of assignees, and after such choice, for the assignees, with the approbation of the commissioners, testified in writing under their hands, from time to time to make such allowance to the bankrupt out of his estate, until he shall have passed his last examination, as shall be necessary for the support of himself and his family, 6 G. 4. c. 16. s. 114.

137. If any bankrupt apprehended by any warrant of the commissioners shall, within the time hereby allowed for him to surrender, submit to be examined, and in all things conform, he shall have the same benefit as if he had voluntarily surrendered, 6 G. 4. c. 16. s. 115.

138. The bankrupt, after the choice of assignees, shall (if thereto required) forthwith deliver up to them, upon oath, before a master, ordinary or extraordinary, in chancery, or justice of the peace, all books of account, papers, and writings relating to his estate, in his custody or power, and discover such as are in the custody or power of any other person; and every such bankrupt, not in prison or custody, shall at all times after such surrender attend such assignees upon every reasonable notice in writing for that purpose given by them to him, or left at his house, and shall assist such assignees in making out the accounts of his estate; and such bankrupt, after he shall have surrendered, may, at all seasonable times before the expiration of the said forty-two days, or such farther time as shall be allowed to him to finish his examination, inspect his books, papers, and writings, in the presence of his assignees, or any person appointed by them, and bring with him each time any two persons to assist him; and every such bankrupt, after he shall have obtained his certificate, shall upon demand in writing given to him, or left at his usual place of abode, attend the assignees, to settle any

accounts between his estate, and any debtor to or creditor thereof, or attend any court of record to give evidence touching the same, or do any act necessary for getting in the said estate, for which attendance he shall be paid five shillings *per day* by the assignees out of his estate; and if such bankrupt shall, after such demand as aforesaid, not attend, or on such attendance refuse to do any of the matters aforesaid, without sufficient cause shewn to the commissioners for such refusal, and by them allowed, the assignees making proof thereof upon oath before the commissioners, the said commissioners may, by warrant directed to such person as they shall think proper, cause such bankrupt to be apprehended and committed to such prison as they shall think fit, there to remain until he shall conform to the satisfaction of the said commissioners, or of the lord chancellor, 6 G. 4. c. 16. s. 116.

139. The bankrupt shall be free from arrest or imprisonment by any creditor in coming to surrender; and after such surrender during the said forty-two days, and such further time as shall be allowed him for finishing his examination, provided he was not in custody at the time of such surrender; and if such bankrupt shall be arrested for debt, or on any escape warrant in coming to surrender, or shall after his surrender be so arrested within the time aforesaid, he shall, on producing the summons under the hands of the commissioners to the officer who shall arrest him, and giving such officer a copy thereof, be immediately discharged; and if any officer shall detain any such bankrupt after he shall have shown such summons to him, so signed as aforesaid, such officer shall forfeit to such bankrupt, for his own use, the sum of five pounds for every day he shall detain such bankrupt, to be recovered by action of debt in any court of record at *Westminster*, in the name of such bankrupt, with full costs of suit, 6 G. 4. c. 16. s. 117.

140. It shall be lawful for the commissioners, at the time appointed for the last examination of the bankrupt, or any enlargement or adjournment thereof, to adjourn such examination *sine die*, and he shall be free from arrest or imprisonment for such time, not exceeding three calendar months, as they shall by indorsement upon such summons as aforesaid appoint, with like penalty upon any officer detaining such bankrupt after having been shown such summons, 6 G. 4. c. 16. s. 118.

141. Whenever any bankrupt is in prison, or in custody, under any process, attachment, execution, commitment, or sentence, the commissioners may, by warrant under their hands, directed to the person in whose custody such bankrupt is confined, cause such bankrupt to be brought before them at any meeting, either public or private; and if any such bankrupt is desirous to surrender, he shall be so brought up, and the expence thereof shall be paid out of his estate, and such person shall be indemnified by the warrant of the commissioners for bringing up such bankrupt; provided that the assignees may appoint any persons to attend such bankrupt from time to time, and to produce to him his books, papers, and writings, in order to prepare an abstract of his accounts, and a statement to show the particulars of his estate and effects previous to his final examination and discovery thereof; a copy of which abstract and statement the said bankrupt shall deliver to them ten days at least before his last examination, 6 G. 4. c. 16. s. 119.

142. Any person wilfully concealing any real or personal estate of the bankrupt, and who shall not within forty-two days after the issuing of the commission discover such estate to one or more of the commissioners or assignees, shall forfeit the sum of one hundred pounds, and double the value of the estate so concealed; and any person who shall, after the time allowed to the bankrupt to surrender, voluntarily discover to one or more of the commissioners or assignees any part of such bankrupt's estate, not before come to the knowledge of the assignees, shall be allowed five *per centum* thereupon, and such further reward as the major part in value of the creditors present at any meeting called for that purpose shall think fit, to be paid out of the estate recovered on such discovery, 6 G. 4. c. 16. s. 120.

143. Every bankrupt who shall have duly surrendered, and in all things conformed himself to the laws in force concerning bankrupts at the time of issuing the commission against him, shall be discharged from all debts due by him when he became bankrupt, and from all claims and demands hereby made proveable under the commission, in case he shall obtain a certificate of such conformity, so signed and allowed, and subject to such provisions as hereinafter directed; but no such certificate shall release or discharge any person who was partner with such bankrupt at the time of his bankruptcy, or who was then jointly bound, or had made any joint contract with such bankrupt, 6 G. 4. c. 16. s. 121.

144. Such certificate shall be signed by four-fifths in number and value of the creditors of the bankrupt, who shall have proved debts under the commission to the amount of twenty pounds or upwards, or after six calendar months from the last examination of the bankrupt, then either by three-fifths in number and value of such creditors, or by nine-tenths in number of such creditors, who shall thereby testify their consent to the said bankrupt's discharge as aforesaid; and no such certificate shall be such discharge, unless the commissioners shall, in

writing under their hands and seals, certify to the lord chancellor that such bankrupt has made a full discovery of his estate and effects, and in all things conformed as aforesaid, and that there does not appear any reason to doubt the truth or fulness of such discovery, and also that the creditors have signed in manner hereby directed, and unless the bankrupt make oath in writing that such certificate and consent were obtained without fraud, and unless such certificate shall, after such oath, be allowed by the lord chancellor, against which allowance any of the creditors of the bankrupt may be heard before the lord chancellor, 6 G. 4. c. 16. s. 122.

145. In all cases where any petition for the allowance of a certificate shall have been presented to the lord chancellor previous to the passing of this act, by virtue of 5 G. 4. c. 98. and hereby repealed, by any bankrupt whose certificate shall have been signed by the requisite number of creditors, with the exception of one whose signature is thereto necessary, and by the commissioners, it shall be lawful for the lord chancellor to allow any such certificate, and such certificate shall be a valid discharge as aforesaid, provided such petition shall have been duly served as in the said act required, 6 G. 4. c. 16. s. 123.

146. The commissioners shall not sign any certificate unless they shall have proof, by affidavit in writing, of the signature of the creditors thereto, or of any person thereto authorized by any creditor, and of the authority by which such person shall have so signed the same; and if any creditor reside abroad, the authority of such creditor shall be attested by a notary public, British minister, or consul; and every such affidavit, authority, and attestation shall be laid before the lord chancellor, with the certificate, previous to the allowance thereof, 6 G. 4. c. 16. s. 124.

147. Any contract or security made or given by any bankrupt or other person unto or in trust for any creditor, or for securing the payment of any money due by such bankrupt at his bankruptcy, as a consideration or with intent to persuade such creditor to consent to or sign such certificate, shall be void, and the money thereby secured or agreed to be paid shall not be recoverable, and the party sued on such contract or security may plead the general issue, and give this act and the special matter in evidence, 6 G. 4. c. 16. s. 125.

148. Any bankrupt who shall, after his certificate shall have been allowed, be arrested, or have any action brought against him for any debt, claim, or demand hereby made proveable under the commission against such bankrupt, shall be discharged upon common bail, and may plead in general that the cause of action accrued before he became bankrupt, and may give this act and the special matter in evidence, and such bankrupt's certificate, and the allowance thereof, shall be sufficient evidence of the trading, bankruptcy, commission, and other proceedings precedent to the obtaining such certificate; and if any such bankrupt shall be taken in execution, or detained in prison for such debt, claim, or demand, where judgment has been obtained before the allowance of his certificate, it shall be lawful for any judge of the court wherein judgment has been so obtained, on such bankrupt's producing his certificate, to order any officer who shall have such bankrupt in custody by virtue of such execution, to discharge such bankrupt without exacting any fee, and such officer shall be hereby indemnified for so doing, 6 G. 4. c. 16. s. 126.

149. If any person who shall have been so discharged by such certificate as aforesaid, or who shall have compounded with his creditors, or who shall have been discharged by any insolvent act, shall be or become bankrupt, and have obtained or shall hereafter obtain such certificate as aforesaid, unless his estate shall produce (after all charges), sufficient to pay every creditor under the commission fifteen shillings in the pound, such certificate shall only protect his person from arrest and imprisonment, but his future estate and effects (except his tools of trade and necessary household furniture, and the wearing apparel of himself, his wife and children), shall vest in the assignees under the said commission, who shall be entitled to seize the same in like manner as they might have seized property of which such bankrupt was possessed at the issuing the commission, 6 G. 4. c. 16. s. 127.

150. Every bankrupt who shall have obtained his certificate, if the net produce of his estate shall pay the creditors who have proved under the commission ten shillings in the pound, shall be allowed five *per cent.* out of such produce, to be paid him by the assignees, provided such allowance shall not exceed four hundred pounds; and every such bankrupt, if such produce shall pay such creditors twelve shillings and sixpence in the pound, shall be allowed and paid as aforesaid seven pounds ten shillings *per cent.*, provided such allowance shall not exceed five hundred pounds; and every such bankrupt, if such produce shall pay such creditors fifteen shillings in the pound or upwards shall be allowed and paid as aforesaid ten pounds *per cent.*, provided such allowance shall not exceed six hundred pounds; but if such produce shall not pay such creditors ten shillings in the pound, such bankrupt shall only be allowed and paid so much as the assignees and commissioners shall

think fit, not exceeding three pounds *per cent.* and three hundred pounds, 6 G. 4. c. 16. s. 128.

151. In all joint commissions under which any partner shall have obtained his certificate, if a sufficient dividend shall have been paid upon the joint estate and upon the separate estate of such partner, he shall be entitled to his allowance although his other partner or partners may not be entitled to any allowance, 6 G. 4. c. 16. s. 129.

152. No bankrupt shall be entitled to his certificate, or to be paid any such allowance, and any certificate, if obtained, shall be void, if such bankrupt shall have lost, by any sort of gaming or wagering, in one day twenty pounds, or within one year next preceding his bankruptcy two hundred pounds; or if he shall, within one year next preceding his bankruptcy, have lost two hundred pounds by any contract for the purchase or sale of any government or other stock, where such contract was not to be performed within one week after the contract, or where the stock bought or sold was not actually transferred or delivered in pursuance of such contract; or shall, after an act of bankruptcy committed or in contemplation of bankruptcy, have destroyed, altered, mutilated, or falsified, or caused to be destroyed, altered, mutilated, or falsified, any of his books, papers, writings, or securities, or made or been privy to the making of any false or fraudulent entries in any book of account or other document, with intent to defraud his creditors, or shall have concealed property to the value of ten pounds or upwards; or if any person having proved a false debt under the commission, such bankrupt being privy thereto, or afterwards knowing the same, shall not have disclosed the same to his assignees within one month after such knowledge, 6 G. 4. c. 16. s. 130.

153. No bankrupt after his certificate shall have been allowed under any present or future commission, shall be liable to pay or satisfy any debt, claim, or demand, from which he shall have been discharged by virtue of such certificate, or any part of such debt, claim, or demand, upon any contract, promise, or agreement made or to be made after the suing out of the commission, unless such promise, contract, or agreement be made in writing, signed by the bankrupt, or by some person thereto lawfully authorized in writing by such bankrupt, 6 G. 4. c. 16. s. 131.

154. The assignees shall, upon request made to them by the bankrupt, declare to him how they have disposed of his real and personal estate, and pay the surplus, if any, to such bankrupt, his executors, administrators, or assigns; and every such bankrupt, after the creditors who have proved under the commission shall have been paid, shall be entitled to recover the remainder of the debts due to him; but the assignees shall not pay such surplus until all creditors who have proved under the commission shall have received interest upon their debts, to be calculated and paid at the rate and in the order following; (that is to say,) all creditors whose debts are now by law entitled to carry interest, in the event of a surplus, shall first receive interest on such debts at the rate of interest reserved or by law payable thereon, to be calculated from the date of the commission, and after such interest shall have been paid, all other creditors who have proved under the commission shall receive interest on their debts from the date of the commission, at the rate of four pounds *per centum*, 6 G. 4. c. 16. s. 132.

155. At any meeting of creditors after the bankrupt shall have passed his last examination (whereof and of the purport of which twenty-one days notice shall have been given in the *London Gazette*), if the bankrupt or his friends shall make an offer of composition, or security for such composition, which nine-tenths in number and value of the creditors assembled at such meeting shall agree to accept, another meeting for the purpose of deciding upon such offer shall be appointed, whereof such notice as aforesaid shall be given; and if at such second meeting nine-tenths in number and value of the creditors then present shall also agree to accept such offer, the lord chancellor shall and may, upon such acceptance being testified by them in writing, supersede the said commission, 6 G. 4. c. 16. s. 133.

156. In deciding upon such offer as aforesaid, any creditor whose debt is below twenty pounds shall not be reckoned in number, but the debt due to such creditor shall be computed in value; and that any creditor to the amount of fifty pounds and upwards, residing out of *England*, shall be personally served with a copy of the notice of the meeting to decide upon such offer as aforesaid, and of the purpose for which the same is called, so long before such meeting as that he may have time to vote thereat; and such creditor shall be entitled to vote by letter of attorney, executed and attested in manner hereby [s. 61. *pl.* 93.] required for such creditors voting in the choice of assignees; and if any creditor shall agree to accept any gratuity or higher composition for assenting to such offer, he shall forfeit the debt due to him, together with such gratuity or composition; and the bankrupt shall (if thereto required) make oath before the commissioners that there has been no such transaction between him or any person with his privy, and any of the creditors, and that he has not used any undue means or influence with any of them to attain such assent as aforesaid, 6 G. 4. c. 16. s. 134.

157. This act shall be construed beneficially for creditors, and nothing herein contained shall alter the present practice in bankruptcy, except where any such alteration is expressly declared, and it shall extend to aliens, denizens, and women, both to make them subject thereto, and to entitle them to all the benefits given thereby; and all powers hereby given to, or duties directed to be performed by the lord chancellor, shall and may be exercised or performed by a lord keeper or lords commissioners of the Great Seal; and all powers given to or duties directed to be performed by the commissioners or assignees, may be exercised and shall be performed respectively by the major part of the commissioners, or by one assignee, where only one shall have been chosen; and that nothing herein contained shall render invalid any commission of bankruptcy now subsisting, or which shall be subsisting at the time this act shall take effect, or any proceedings which may have been had thereunder, or affect or lessen any right, claim, demand, or remedy which any person now has thereunder, or upon or against any bankrupt against whom any commission has or shall have issued, except as is herein specifically enacted; and that this act shall not extend either to *Scotland* or *Ireland*, except where the same are expressly mentioned, 6 G. 4. c. 16. s. 135.

158. This act shall not take effect before 1st Sept. 1825., save and except that the repeal of the act passed in the fifth year of the reign of his present majesty, hereby repealed, and all enactments herein contained relating to certificates of conformity, shall take effect upon the passing of this act, 6 G. 4. c. 16. s. 136.

BEER AND ALE.

(STATUTES repealed.)

1. The assize of Bread and Ale, *Stat. incert. temp.* No. II. REP. 5 G. 4. c. 74. s. 23.

2. For ascertaining the measures for retailing ale and beer, 11 & 12 W. 3. c. 15. [REP. 5 G. 4. c. 74. s. 23.]

(STATUTES in force.)

3. To encourage the consumption of beer, and to amend the laws for securing the excise duties thereon, 4 G. 4. c. 51. [To commence and take effect from and after 5th July, 1813. s. 22.] REP. as to the duties on licences to brew and retail beer, and other duties granted, and the excise laws relating to such duties, and to brewers and retailers of beer, AMENDED 5 G. 4. c. 54. [To commence and take effect from and after 10th Oct. 1824, except where otherwise specially directed, s. 21.]

4. Whereas strong beer or ale, or beer or ale above 16s. the barrel, exclusive of the duty by law imposed on such beer or ale, and not being twopenny ale mentioned and described in the seventh article of the Treaty of Union with *Scotland*, (see 5 A. c. 8. Art. 7.) [Stat. Dig. tit. *SCOTLAND Union*, pl. 4.] which shall be brewed in *G. B.* by any common brewer, or other person or persons who shall sell or tap out beer or ale publicly or privately, is by law subject to a duty of excise of 10s. for every barrel thereof; and table beer, or beer or ale of 16s. the barrel or under, exclusive of the duty by law imposed thereon, which shall be brewed in *G. B.* by any common brewer, or other person or persons who shall sell or tap out beer or ale publicly or privately, is subject to an excise duty of 2s. for every barrel thereof: and whereas it is expedient, for supplying the public with beer or ale of an intermediate strength between strong beer and table beer, and subject to a proportionate excise duty, to make such provision as herein-after mentioned: it is enacted that from the 5th July, 1823, it shall be lawful for any person or persons, under the licences, rules, conditions, and restrictions herein-after contained, to brew for sale and sell such beer or ale as is herein-after mentioned, upon payment of an excise duty for the same at and after the following rate; (that is to say,) for every barrel, containing thirty-six gallons ale measure, of such beer or ale as is herein-after mentioned, which shall be brewed in *G. B.*, to be paid by the brewer thereof, the sum of 5s., and so in proportion for any greater or less quantity thereof than a barrel, 4 G. 4. c. 51. s. 1.

5. All such beer or ale as shall be brewed or sold in *G. B.* under the provisions of this act, shall be brewed in the proportion of not less than five barrels, containing thirty-six gallons ale measure each, of such beer or ale, nor more than five and a half of such barrels, from each quarter of malt which shall be used for the purpose of brewing such beer or ale, and every such brewer shall be charged by the proper officer with such duty as aforesaid, after the rate of five such barrels at the least, for every quarter of malt so used by him in brewing, or which shall be found at any time to be deficient in, and on taking an account of his

malt stock, as herein-after mentioned, and for so much more beer, not exceeding five barrels and a half for every quarter of malt so used, as such officer shall find on his survey to have been made by any such brewer, and so in proportion for any greater or less quantity; and all such beer or ale which shall be sold in any quantity at one time of nine gallons, or one quarter of such barrel or upwards, shall be sold at a rate not exceeding 27s. the barrel, and so in proportion for any quantity greater or less than a barrel; and all such beer or ale which shall be sold in any quantity at one time of less than nine gallons, shall be sold at a price not exceeding 10d. the gallon, and so in proportion for any quantity greater or less than a gallon; and if any person who shall make entry to brew such beer or ale, shall brew or suffer any beer or ale to be brewed of any greater or less strength or quantity than in the proportions aforesaid, of not less than five barrels, containing thirty-six gallons ale measure each, or more than five and a half of such barrels, from every quarter of malt, all such beer or ale brewed of greater strength shall be charged with duty at the rate of 10s. for every such barrel thereof, and so in proportion for any quantity greater or less than a barrel; and if any such person shall brew any porter, or shall use, or cause, or permit, or suffer to be used, in the brewing of any such beer or ale as aforesaid, any other material or ingredients than water, malt, hops, and yeast, or put into or mix with any such beer or ale, or the worts thereof, any water, or any other material or ingredient than hops and the necessary quantity of yeast and fining for such beer, ale, or worts, all such porter, and all such beer, ale, and worts shall be forfeited, and may be seized by any officer of excise; and every such person or persons so offending, either by brewing, or causing, permitting, or suffering to be brewed, any beer or ale of greater or less strength than as aforesaid, or by brewing any porter, or by adulterating any such beer, ale, or worts, shall for every such offence forfeit the sum of 200l.; and if any person shall sell, or cause, or permit, or suffer to be sold, any beer or ale brewed under the provisions of this act in any quantity at one time of nine gallons, or one quarter of such barrel thereof as aforesaid, or upwards, at a greater or higher rate or price than 27s. the barrel, and so in proportion for any greater or less quantity than a barrel, or any quantity of such beer or ale at one time, less than nine gallons, at a higher price than 10d. the gallon, and so in proportion, every such person shall for every such offence forfeit the sum of 50l., 4 G. 4. c. 51. s. 2.

6. Provided, that whenever malt or hops shall rise to and be of such price as, in the judgment of the commissioners of H. M.'s treasury, to require that the brewers and sellers of beer or ale brewed or sold under this act should be allowed to sell such beer or ale at a higher rate or price than is by this act specified, it shall be lawful for the commissioners of H. M.'s treasury, by any warrant or order signed by any three of them, to authorize the brewers of beer or ale under this act, or the retailers thereof, whilst the price of malt or hops shall be so advanced, to sell such beer or ale at such higher rate or price, as shall be limited and expressed in such warrant or order, without such brewer or other person incurring any penalty or forfeiture in respect of such sale, during the time that any such warrant or order shall be in force, 4 G. 4. c. 51. s. 3.

7. Every person who shall be desirous of brewing beer or ale under this act, and shall make entry of any house or premises for that purpose as herein-after mentioned, shall, before he shall begin to brew any such beer or ale, take out and pay for an excise licence authorizing such person to brew such beer or ale; and every such person so making entry shall be subject to, and shall pay duty for every such licence at the same rate and proportion which is by law imposed on licences to common brewers of strong beer [see post]; and every such licence shall be granted at and for such times, and under, subject, and according to the several laws and regulations relating to licences to be granted to common brewers of strong beer; and every such person so making entry and taking out a licence to brew under this act, shall in all respects be subject to the same rules, regulations, restrictions, conditions, fines, penalties, and forfeitures (except so far as is expressly altered by this act) to which common brewers of strong beer are subject by any act or acts in force, 4 G. 4. c. 51. s. 4.

8. No brewer who shall make entry and take out a licence to brew under this act shall be entitled to any abatement of the duty hereby imposed, or on the return of such duty, for waste by fillings and leakage, or any other consideration, or shall remove to, take, or receive at his premises entered for brewing beer or ale under this act, any other beer, ale, or porter whatsoever; and it shall be lawful for any such brewer to sell and retail such beer or ale at and from such entered premises, where the same has been brewed, at such prices as [in s. 2, 3. pl. 5, 6.] aforesaid, in any quantity, not being to be drunk or consumed upon the premises where sold, or in any shop, house, outhouse, yard, garden, orchard, or other place adjoining the same, or belonging to or occupied by such brewer, or in which he shall have any interest or concern; and

if any brewer of such beer or ale shall remove to, take, or receive, at his premises entered, under [s. 4. pl. 7.] any other beer, ale, or porter whatsoever, or shall sell or retail any such beer or ale at any place other than as aforesaid, and not being a place duly entered for that purpose as herein-after mentioned, or to be drank or consumed upon the premises where sold, or in any shop, house, outhouse, yard, garden, orchard, or other place adjoining the same, or belonging to or occupied by such brewer, or in which he shall have any interest or concern, every such brewer so offending shall, for every such offence, forfeit 100*l.*, 4 G. 4. c. 51. s. 5.

9. It shall be lawful for any person to brew any beer, ale, or porter, under the provisions of any act in force before the passing of this act, and also to brew beer or ale under this act, upon taking out separate licences for that purpose, without incurring any of the penalties imposed by this act for having in his possession for sale, at the same time, beer or ale brewed under this act, and also any other beer, ale, or porter: provided, that no brewer who shall make entry to brew under the provisions of this act, shall be a maltster, or interested in the making of malt, within the distance of one quarter of a mile in a direct line from the premises entered by him, for brewing beer or ale under the provisions of this act; and provided, that no such brewer who shall also be a brewer of other beer, ale, or porter, shall carry on, or be interested or concerned in carrying on such several breweries together, or within the distance of 200 yards in a direct line of each other; or shall at the same time have, or take into his custody or possession, any beer or ale brewed under this act, and also any other beer, ale, or porter brewed under any other act, in the same place, room, storehouse, or cellar, or in any separate places, rooms, storehouses, or cellars, at a less distance from each other than 200 yards in a direct line; and if any person shall brew any beer or ale under this act, and also any other beer, ale, or porter, without taking out such separate licences, or shall brew any beer or ale under this act, and shall at the same time be a maltster, or be interested or concerned in the making of malt, within the distance of a quarter of a mile in a direct line from the premises by him entered for brewing beer or ale under this act, or shall brew any beer or ale under this act, and also be a brewer of any other beer, ale, or porter, and shall carry on, or be interested or concerned in carrying on such several breweries together, or within the distance of 200 yards in a direct line of each other, or shall at the same time have, or take into his custody or possession, any beer or ale brewed under this act, and also any other beer, ale, or porter at the same place, room, storehouse, or cellar, or at any separate places, rooms, storehouses, or cellars, within the distance of 200 yards in a direct line of each other; every such person or persons so offending shall for every such offence forfeit the sum of 200*l.*: and all such beer found in the custody or possession of such person or persons so offending shall be forfeited, and seized by any officer of excise, 4 G. 4. c. 51. s. 6.

10. It shall be lawful for all persons to make entry as herein-after mentioned, of any place, room, storehouse, cellar, shop, house, or outhouse, for the sale and retail of beer or ale brewed under this act, detached from the entered premises where the same is brewed, and to take out an excise licence under this act, authorizing such persons to sell by retail, under the conditions and restrictions herein contained, any beer or ale brewed under this act; which licence shall be granted in manner herein-after mentioned; (that is to say,) if taken out within the limits of the chief office of excise in *London*, under the hands and seals of two or more of the commissioners of excise, or of such persons as they shall direct or employ for that purpose; and if any such licence shall be taken out in any part of *England* not within the said limits, the same shall be granted under the hands and seals of the collectors and supervisors of excise within their respective collections and districts; and in case any such licence shall be taken out within the limits of the city of *Edinburgh*, the same shall be granted under the hands and seals of two commissioners of excise in *Scotland*; or if out of the said limits of the city of *Edinburgh*, then under the hands and seals of the several collectors and supervisors of excise in *Scotland*, within their respective collections and districts; and the said commissioners of excise in *England* and *Scotland* or any two or more of them, and the person to be directed or employed by the said commissioners, and all such collectors and supervisors, are hereby authorized and required to grant such licences to the persons who shall apply for the same, on the person or persons so applying first paying for such licence a duty of 21*s.* and which licence shall expire at the end of twelve calendar months after the day on which it shall be dated. [See the new duty, *post*, 5 G. 4. c. 54. s. 2. pl. 26.] Provided that no such licence shall authorize the person or persons taking out the same to sell any beer or ale brewed under the provisions of this act, to be drank or consumed upon the premises where sold, or in any shop, house, outhouse, yard, garden, orchard, or other place adjoining the same, or belonging to or occupied by the person or persons taking out such licence, or in which he or they shall have any concern, or to sell, deal in, or retail any other beer, or ale, or porter

whatsoever, or shall entitle such person or persons to any licence to sell or retail cyder, wine, or spirits, 4 G. 4. c. 51. s. 7.

11. No such person shall sell any beer or ale brewed under this act, in any place, room, storehouse, cellar, shop, house, or outhouse, whether entered or not entered for that purpose, detached from the entered premises where the same was brewed, after the expiration of such his excise retail licence; and every such person shall take out a fresh retail licence for that purpose in the manner herein-before [s. 4. pl. 7.] directed, before the expiration of such former retail licence, and so in like manner renew every such licence from year to year; and if any person shall sell any beer or ale, brewed under this act, at any place, room, storehouse, cellar, shop, house, or outhouse detached from the entered premises where the same was brewed, without first taking out an excise retail licence authorizing him so to do, or without renewing the same as is herein in that behalf directed, or shall sell any such beer or ale to be drank or consumed upon the premises where sold, or in any shop, house, outhouse, yard, garden, orchard, or other place adjoining the same, or belonging to or occupied by the person taking out such licence, or in which he shall have any interest or concern, or shall sell, deal in, or retail any other beer, or ale, or porter whatsoever, every such person shall for every such offence forfeit the sum of 50*l.*: provided, that persons trading in partnership, and in one house or shop only, shall not be obliged to take out more than one licence in any one year for selling any such beer or ale brewed under this act, and no one licence which shall be granted by virtue of this act shall authorize any person to sell any such beer or ale, brewed under this act, in any other place, room, storehouse, cellar, shop, house, or outhouse, than the place, room, storehouse, cellar, shop, house, or outhouse, whereof entry in writing shall be made at the office of excise, in the name or names of such person or persons, for selling such beer or ale brewed under this act, at the time of granting such licence, and in respect whereof such licence shall be granted, 4 G. 4. c. 51. s. 8.

12. Such of the duties by this act imposed as shall arise in *England*, shall be under the management of the commissioners of excise in *England* for the time being; and such thereof as shall arise in *Scotland* shall be under the management of the commissioners of excise in *Scotland*, 4 G. 4. c. 51. s. 9.

13. The several duties hereby imposed and made payable shall be raised, levied, collected, answered, paid, recovered, and adjudged, mitigated and allowed, in like manner as any other duties of excise on beer may be (except so far as expressly altered by this act); and the brewers, retailers, and persons respectively before-mentioned shall be subject to all the conditions, regulations, rules, restrictions, and forfeitures to which brewers, dealers in and retailers of beer, are subject, except as aforesaid, by any act in force immediately before 8th July 1823, relating to the excise duty on beer; and all pains, penalties, fines, or forfeitures, except as aforesaid, for any offence committed against any such act, shall extend to and be put in execution for and in respect of the several excise duties hereby charged as fully as if here repeated, 4 G. 4. c. 51. s. 10.

14. All the monies arising by the duties and several sums by this act imposed and made payable shall be paid into H. M.'s exchequer, and carried to the consolidated fund, 4 G. 4. c. 51. s. 11.

15. Every person who shall make, or shall be by law required to make entry of any building, place, or utensil for the brewing or sale of beer or ale under this act, or for the purpose of carrying on any trade or business subject to the survey of the officers of excise, shall in every such entry distinguish and describe every such building, place, and utensil, by a particular letter or number, and shall paint such respective letter or number in a large and distinct character upon some convenient and conspicuous part of the walls or doors of every such building or place, and upon some convenient and conspicuous part of every such utensil, and keep and continue the same so painted, and from time to time, when occasion may require, or when requested by the supervisors of excise of the district where situated, renew the same so long as the entry thereof remains uncanceled, so that such letter or number so painted may be easily and readily known by the officers of excise attending to survey the same: and wherever any such person or persons shall use or employ in his or their entered buildings or places any fixed pipe or pipes, he or they shall, at the time of making his or their entry of the places and utensils as aforesaid, deliver with such entry, and as part thereof, a drawing or description, distinctly showing the course, direction, construction, and use of all and every such pipe and pipes, and of all and every branch and branches thereof, and of every cock and cocks thereon, together with the place or places, and utensil or utensils respectively, from and to, or with which, the same lead or communicate; and if any building, place, or utensil shall at any time be found to be used by any person for any such purpose without being so entered, described, or distinguished, or without such letter or number being so distinctly painted and continued thereon, or any pipe or pipes be found without being so shewn in such drawing, or so described

as aforesaid, or different from or disagreeing with such drawing or description, every such person or persons using the same shall for every such offence forfeit, over and above all other penalties, the sum of 200*l.*: provided, that no person or persons whatsoever shall newly erect, set up, enter, or shall make use of any house or place whatsoever in *G. B.* for the brewing of beer or ale under this act, within the distance of 100 yards in a direct line from any house or place which for three months immediately preceding shall have been and shall be at that time licensed, entered, and used for the purpose of brewing any other beer, ale, or porter for sale, under any other act; nor shall any person or persons whatsoever newly erect, set up, enter, or make use of any place or house whatsoever in *G. B.* for brewing or making any other beer, ale, or porter for sale, within the distance of 200 yards in a direct line from any house or place which for three months immediately preceding shall have been and shall at that time be licensed, entered, and used for the purpose of brewing beer or ale under this act; nor shall any person or persons newly erect, set up, enter, or make use of any place, room, storehouse, cellar, shop, house, or outhouse within *G. B.* for selling or retailing any beer or ale brewed under this act, within the distance of 20 yards in a direct line from any house or premises which for three months immediately preceding shall have been and shall at that time be licensed, entered, and used for selling or retailing any other beer, ale, or porter; nor shall any person or persons newly erect, set up, enter, or make use of any house or premises for selling or retailing any other beer, ale, or porter, within the distance of 20 yards of any place, room, storehouse, cellar, shop, house, or outhouse, which for three months immediately preceding shall have been and shall at that time be licensed, entered, and used for the sale and retail of beer or ale brewed under this act; on pain of the person or persons so offending, forfeiting, in every such case, the sum of 50*l.* for every week that such house or place shall be erected, set up, entered, or used respectively as aforesaid, contrary to this act; and all entries of any such house or premises so entered and made use of contrary to the true intent and meaning of this act, shall be null and void, 4 *G. 4. c. 51. s. 12.*

16. Every person who shall make entry of any buildings or premises for brewing beer or ale under this act, shall specify in such entry, the room, storehouse, or place, rooms, storehouses, or places, in which he shall intend to store the malt for such brewing, and shall, when and so often as he shall receive any malt, store, lodge and place the same in one or more of such entered rooms, storehouses, or other places, and shall use or employ no other malt, ground or unground, for brewing beer or ale under this act, than such as shall be taken by him, from one or more of such entered rooms, storehouses, or places for that purpose, and of which entry shall on the same day be made in the book herein-after mentioned; and if any such person shall not make such entry as aforesaid, or specify and distinguish every such room, storehouse, or place as aforesaid, or shall receive or take into, or have in his possession, any malt, ground or unground, for brewing, without such malt, ground or unground, being lodged, put, or placed by him, her, or them, in one or more of such rooms, storehouses, or places, entered for that purpose, and entered in such book as herein-after mentioned, or shall use any malt, ground or unground, in or for such brewing as aforesaid, without taking the same from one or more of such entered rooms, storehouses, or other places, and making entry thereof in such book as is herein-after mentioned, every such person or persons so offending as aforesaid, shall forfeit for every such offence the sum of 200*l.*, 4 *G. 4. c. 51. s. 13.*

17. Every brewer of beer or ale under this act shall keep a book to be delivered to him by the proper officer of excise, which book shall be prepared with distinct columns for entering accounts of all the malt which shall be received by any such brewer, to be used, and which shall be used by him, in the brewing of such beer or ale; and every such brewer shall, under the date and on the same day on which he shall receive any malt into his possession for brewing, write and enter, or cause to be written and entered in such book and in the proper columns, a true and particular account of the number of bushels of malt, distinguishing the same whether ground or unground, which he shall receive into his possession for brewing as aforesaid; and shall also write and enter the christian and surnames, and places of abode of the persons of whom such malt was purchased, or from whom such malt was received; and shall also write and enter an account of the quantity of such malt in bushels, and distinguishing whether ground or unground, which shall from time to time be used at such brewery in the brewing or making of such beer or ale, and make every such last-mentioned entry in such book, under the date and on the same day in which such malt was so used; and if any such brewer shall neglect or refuse to make or cause to be made any such entry or entries, or shall cancel, obliterate, or alter, or cause or suffer to be cancelled, obliterated, or altered, any such entry or entries, or shall make any untrue entry or entries therein, or shall at any time withhold, conceal, or make away

with any such book or any part thereof, every such brewer or brewers so offending shall for every such offence forfeit the sum of 100*l.*, 4 *G. 4. c. 51. s. 14.*

18. All such books shall at all times be produced to and left open to the free inspection of the proper officers of excise, who shall be permitted to examine and cast up, and make copies or extracts from the entries contained therein, and to insert therein the time of such inspection, and sign their names thereto, and to take away any such book and deliver any such trader a new book of a similar kind; and if any person shall by any act, matter, or thing, or by any art or contrivance, obstruct or hinder, or cause or permit or suffer to be obstructed or hindered, any officer of excise therein, or in the performance and execution of any of the powers and authorities by this act given, or of his duty in respect thereof, every person and persons so offending, shall for every such offence forfeit the sum of 200*l.*, 4 *G. 4. c. 51. s. 15.*

19. Every such brewer shall, when and so often as thereto required by any officer of excise, cast or place all the malt in his possession, in such regular form as may enable the officer of excise conveniently to gauge and ascertain the true quantity thereof; and if upon such admeasurement the quantity of malt then in stock shall be found to disagree with the quantity which such brewer ought to have in his possession, according to the true balance drawn from casting up and adjusting such book and the entries therein, and allowing for so much as shall in and by the aforesaid book and the entries therein appear to have been used for the purpose of brewing such beer as aforesaid, then every such brewer, the quantity of whose malt then in stock shall be found so to disagree, or who, upon being thereunto required as aforesaid, shall neglect or refuse to cast or place such malt as aforesaid, in his custody or possession, in or into such regular form as aforesaid, shall for every such offence forfeit the sum of 200*l.*, 4 *G. 4. c. 51. s. 16.*

20. Every brewer shall, before the officers take any such account of malt as aforesaid, be required by the proper officer, and be permitted to make due entries in such book of all malt which he may have received into his possession, or may have used in the brewing of beer in the course of the day in which such account is proposed or intended to be taken; and if any dispute shall arise between any such brewer and the officer of excise respecting the true quantity of malt in stock so taken an account of as aforesaid, such brewer shall have the option of and be allowed immediately to measure the same in the presence of such officer by a just *Winchester* bushel measure, to be provided by such brewer, and the quantity ascertained by such admeasurement shall be taken to be the true quantity of the malt in stock in the possession of such brewer, 4 *G. 4. c. 51. s. 17.*

21. On every brewing by any brewer under this act, the whole of the worts made on and by such brewing shall be collected and mixed together by such brewer, and made of one and the same quality, before the same or any part thereof shall be cleansed, removed, or run from the fermenting tun; and no such beer or ale shall be put into or tunned, cleansed, kept, or stored in any cask, vat, or other vessel, exceeding the content or size of a butt or pipe of three barrels; and before any such cask, vat, or other vessel shall be used for any such purpose, the same shall be entered at the proper office of excise, and be truly gauged and inched to the satisfaction of the proper officer of excise; and if any such brewer shall on any brewing not collect and mix together the whole of the worts made on and by such brewing, and make the same of one and the same quality, before the same or any part thereof is cleansed, removed, or run from the fermenting tun, or shall put into, or tun, cleanse, keep, or store any such beer or ale in any cask, vat, or other vessel exceeding such size as aforesaid, or shall make use of the same for any such purpose before the same have been entered, gauged, and inched as aforesaid, or afterwards alter by enlarging or diminishing the same without notice thereof to the proper officer, he shall for every such offence forfeit the sum of 100*l.*; and every cask, vat, or other vessel which shall have been so used as aforesaid, with all the beer contained therein, shall be forfeited, and may be seized by any officer of excise, 4 *G. 4. c. 51. s. 18.*

22. When and as often as any beer or ale brewed under this act shall be sold and sent out or delivered for consumption or otherwise, in any quantity of four gallons or upwards, such beer shall be sent out by the brewer in a cask on which shall be branded and permanently marked, in large and legible letters, the name of such brewery, and of the place or brewery where such beer was brewed, as well as the numeral figure 5, of the length of four inches at the least, to denote the quality of such beer; and if any such brewer shall neglect or refuse to distinguish all such beer when sold and sent out, or delivered in any such quantity or quantities as aforesaid, in a cask which shall be so branded and marked, every such brewer shall for every such offence forfeit 50*l.*: provided, that no such brewer shall be subject to any such penalty in any case where such beer shall be taken away by the person to whom the same may be sold, in any cask produced by him, and then filled for such purpose, 4 *G. 4. c. 51. s. 19.*

23. From 8th July 1823, every brewer of beer or ale brewed under this act, and every brewer of any other beer, ale, porter, or table beer for sale, shall, before he shall cleanse, or remove, or run any wort or beer from the fermenting tuns, or into any cask or vessel other than a known tun, cask, or vessel for fermenting beer, and specially entered by such brewer for that purpose, make in writing, in the same book or paper in which every brewer of beer for sale is now by law required to give notice of every intended brewing, and of the quantity of malt by him intended to be used in such intended brewing, and opposite the entry of such notice, and the quantity of malt therein mentioned, a declaration of the whole length or quantity or quality of all the beer brewed by any such brewer at every such brewing, such declaration, when so made, being at the time signed by such brewer, or by his principal servant, under whose direction such beer, &c. was brewed, the proper hand-writing of such person being affixed and subscribed thereto; and if any such brewer shall refuse or neglect to make and enter such declaration in writing, or shall cancel, obliterate, or alter, or cause, or suffer, or permit to be cancelled, obliterated, or altered, any such declaration or entry; or if any such brewer or their or any of their servants shall make any untrue declaration or entry, or shall not at all times keep such book or paper in some public and open part of his entered premises, ready for the inspection of the officers of excise, or shall before such declaration or entry is so made, cleanse, remove, or run away any of the beer brewed at such brewing from the fermenting tuns, or into any cask or vessel other than a known tun, cask, or vessel for fermenting beer, and specially entered by such brewer, every brewer so offending shall for every such offence forfeit the sum of 200*l.*, 4 *G. 4. c. 51. s. 20.*

24. All fines, penalties, and forfeitures imposed by this act shall be sued for, levied, or mitigated by such ways as any fine, &c. may be sued for, &c. by any law of excise, or by action of debt, bill, plaint, or information, in any of H. M.'s courts of record at *Westminster*, or in the court of exchequer in *Scotland*; and one moiety of every such fine, &c. shall be to H. M. and the other to him or them who shall discover, or sue for the same, 4 *G. 4. c. 51. s. 21.*

25. Whereas it is expedient to repeal the several licence duties now payable by brewers and retailers of beer, spirits, and foreign wine (being at the same time retailers of beer or spirits), be it enacted that from 10th Oct. 1824, all the duties on excise licences taken out by common brewers and sellers of beer, ale, cyder or perry, by retail, to be drank in their houses or premises, and by sellers of beer under 4 *G. 4. c. 51.*; and all the duties on excise licences taken out by retailers of distilled spirituous liquors or strong waters in *G. B.*, and by retailers of foreign wine, in *G. B.*, who shall have taken out a licence for retailing beer, but shall not have an excise licence for retailing distilled spirituous liquors granted by any act now in force, shall cease and determine, except as to arrears unpaid on 10th Oct. 1824, and except as to fines, &c. then incurred, 5 *G. 4. c. 54. s. 1.*

26. In lieu of the duties hereby repealed there shall be paid the several duties following; viz. from 10th Oct. 1824, every brewer of beer in *G. B.* for sale, shall annually take out an excise licence for that purpose, for which he shall pay for beer brewed within the year ending 10th Oct. previous to taking out such licence, if the quantity of beer brewed shall not exceed 20 barrels the sum of 10 shillings;

	£	s.
Exceeding 20 barrels and not exceeding 50 the sum of	1	0
50 ————— 100 —————	1	10
100 ————— 1000 —————	2	0
1000 ————— 2000 —————	3	0
2000 ————— 5000 —————	7	10
5000 ————— 7,500 —————	11	5
7,500 ————— 10,000 —————	15	0
10,000 ————— 20,000 —————	30	0
20,000 ————— 30,000 —————	45	0
30,000 ————— 45,000 —————	60	0
45,000 —————	75	0

Every person who shall from and after the 10th Oct. 1824, first become a brewer of beer in *G. B.* for sale, on taking out such licence as aforesaid for that purpose, shall pay the sum of 10*s.*, and within ten days after the 10th Oct. 1824, after taking out such licence pay such further additional sum as, with the said 10*s.* shall amount to the duty herein-before mentioned according to the number of barrels of beer brewed within the preceding year: Every brewer of beer in *G. B.* for sale, who shall retail such beer from his brewery, to be consumed elsewhere than in his house or premises, shall from and after 10th Oct. 1824, annually take out an excise licence for that purpose, and shall for every such licence pay the sum of 5*l. 5s.*: Every person in *G. B.* who shall be duly authorized by justices of the peace or magistrates to keep a common inn, alehouse, or victualling house, and who shall sell beer, cyder, or perry, by retail, to be drank or consumed in their house or premises, shall, from and after the said 10th Oct. 1824, annually take out an excise licence to sell beer, cyder, or perry as aforesaid, and shall for

every such licence, if the dwelling-house in which such person shall reside or retail such beer, cyder, or perry, at the time of taking out such licence, shall not, together with the offices, courts, yards, and gardens therewith occupied, be rated, under any act for granting duties on inhabited houses, at a rent of 20*l.* per annum or upwards, pay the sum of 1*l. 1s.*; and if rated as aforesaid at 20*l.* per annum or upwards, 3*l. 3s.*: Every person in *G. B.* who shall sell strong beer only, brewed by any other brewer, in casks containing not less than five gallons, or in not less than two dozen reputed quart bottles, at one time, to be drank or consumed elsewhere than in their house or premises, shall, from and after the 10th Oct. 1824, annually take out an excise licence for that purpose, and shall for every such licence pay the sum of 3*l. 3s.*: Every retailer of distilled spirituous liquors or strong waters in *G. B.* (not being a retailer of plain aqua vitæ only, made or distilled from British materials in *Scotland*), shall, from and after the 10th Oct. 1824, annually take out an excise licence for that purpose, and shall for every such licence, if the dwelling-house in which such retailer shall reside or retail such distilled spirituous liquors or strong waters, at the time of taking out such licence, shall not, together with the offices, courts, yards, and gardens therewith occupied, be rated, under any act for granting duties on inhabited houses, at a rent of 20*l.* per annum or upwards, pay the sum of 4*l. 14s.* If rated at 20*l.* per annum or upwards, and under 25*l.* - 6*l. 6s.*

25 <i>l.</i> - - - - -	30 <i>l.</i> - 7 <i>l. 7s.</i>
30 <i>l.</i> - - - - -	40 <i>l.</i> - 8 <i>l. 8s.</i>
40 <i>l.</i> - - - - -	50 <i>l.</i> - 9 <i>l. 9s.</i>
50 <i>l.</i> - - - - -	- - - 10 <i>l. 10s.</i>

And every person who within the limits of any royal burgh, burgh of barony or regality, in any part of *Scotland*, or in any other part of *Scotland* other than within the Highlands of *Scotland*, limited in the acts in that case made, shall retail any spirits made or distilled from malt, corn, grain, barley, beer, bigg, or other British materials, and commonly called aqua vitæ, shall, from and after the 10th Oct. 1824, annually take out an excise licence for that purpose, and shall for every such licence to retail plain aqua vitæ only, pay the sum of 4*l.* And every person who shall retail such spirits within the several counties and districts of the Highlands of *Scotland*, the royal burghs, burghs of barony or regality therein excepted, shall for every such licence pay, as aforesaid, the sum of 2*l.* And every retailer of foreign wine in *G. B.* who shall have taken out a licence for retailing beer, ale, and other exciseable liquors, but shall not have an excise licence for retailing distilled spirituous liquors or strong waters, shall, from and after the 10th Oct. 1824, annually take out an excise licence for that purpose, and shall for every such licence to retail foreign wine pay the sum of 4*l. 4s.* And every retailer of foreign wine in *G. B.*, who shall have an excise licence for retailing distilled spirituous liquors or strong waters, shall for every such licence to retail foreign wine, pay the sum of 2*l. 4s.*, 5 *G. 4. c. 54. s. 2.*

27. The number of barrels of table beer brewed by any brewer, and charged with duty as table beer, shall not be reckoned or included in the account of the number of barrels of beer brewed by such brewer, for the purpose of increasing the rate of licence duty, to be charged upon and paid for by such brewer, over and above the rate of 2*l.* 5 *G. 4. c. 54. s. 3.*

28. The several sums of money and licence duties of excise above-mentioned, shall be under the management of the commissioners of excise, and raised, levied, collected, recovered, adjudged, mitigated, and allowed, by the general or special means, ways, or methods by which the licence duties of excise repealed are raised, (except so far as is expressly altered by this act); and the goods and licences, brewers, retailers, and persons before-mentioned, shall be subject to all the general and special conditions, regulations, rules, restrictions, and forfeitures, to which any licence to retail beer, distilled spirituous liquors, or foreign wine respectively, brewers, dealers in and retailers of any beer, distilled spirituous liquors, or foreign wine respectively, are subject (except as aforesaid) by any acts in force before 4th June, 1824; and all and every pain, penalty, fine, or forfeiture (except as aforesaid) committed against any act in force before 4th June, 1824, and the several clauses, powers, and directions therein contained (except as aforesaid), shall extend to the duties of excise and sums hereby charged, as fully (except as aforesaid) as if all the said acts, clauses, provisions, powers, directions, fines, pains, penalties, or forfeitures, were repeated and re-enacted in this act, 5 *G. 4. c. 54. s. 4.*

29. All monies arising by the duties and sums by this act payable (the necessary charges of raising, &c. excepted), shall be paid into the exchequer, and carried to the consolidated fund of the U. K. of *Great Britain and Ireland*, 5 *G. 4. c. 54. s. 5.*

30. It shall be lawful for any brewer of strong beer only in *G. B.* who shall have taken out and paid for his licence to brew, at the rate of 2*l.* at the least, to retail such beer from the premises where such beer is brewed, and for any person not being a brewer of beer, either for sale or private use, to sell strong beer only, brewed by any other brewer, in casks containing not less than five gallons, or in not less than two dozen

reputed quart bottles at one time, upon such brewer or other person taking out, under this act, such respective excise licence for that purpose as before-mentioned, which licence shall be granted in manner herein-after mentioned; (that is to say,) if any such licence shall be taken out within the limits of the chief office of excise in *London*, the same shall be granted under the hands and seals of two or more of the commissioners, or of such person or persons as they, or any four of them for the time being, shall employ for that purpose; and if any such licence shall be taken out in any part of *England*, not within the said limits, the same shall be granted under the hands and seals of the collectors and supervisors of excise within their respective collections; and in case any such licence shall be taken out within the limits of the city of *Edinburgh*, the same shall be granted under the hands and seals of two or more of the commissioners, and assistant commissioners of excise in *Scotland*, or of such persons as they, or any two of them, shall employ for that purpose; or if any such licence shall be taken out in *Scotland*, out of the said limits, then the same shall be granted under the hands and seals of the several collectors and supervisors of excise in their respective collections; and such commissioners in *England* and *Scotland*, or any two of them, and the person by them employed, and also all such collectors and supervisors shall grant such licences to such persons who shall apply for the same, on such persons so applying first paying for such licences the sums of money before-mentioned; and every such licence shall expire on the 10th *Oct.* next after the day on which such licence shall be dated: provided, that no such licence shall authorize such brewer, or other person taking out any such licence, to sell any table beer, or any beer to be drank or consumed upon the premises where sold, or in any shop, house, outhouse, yard, garden, orchard, or other place adjoining the same, or belonging to or occupied by the person taking out such licence, or selling such beer, or in which he shall have any concern, or to sell, deal in, or retail any other beer whatsoever, or in any other manner whatsoever than as aforesaid, or shall entitle any such brewer or other person to any licence to sell or retail cyder, wine, or spirits: provided also, that within the limits of the universities of *Cambridge* and *Oxford*, all persons applying for such licences shall apply to the persons heretofore granting common ale licences, who shall or may grant the same, according to the same rules by which they have been accustomed to grant the said licences, 5 *G. 4. c. 54. s. 6.*

31. Where the entered premises, for brewing, of any brewer shall be situated out of a city or market town, and such brewer shall by reason thereof not retail beer, or be licensed as aforesaid to retail beer from such brewery, or make entry of any part of such premises for that purpose, it shall be lawful for such brewer to make entry of some one place, room, storehouse, cellar, shop, house, or outhouse, for the retail of beer in any one adjoining city or market town, and to take out a licence for, and retail therefrom the strong beer brewed by him at such brewery, to be drank or consumed elsewhere, subject nevertheless to the several provisions and penalties herein contained and imposed, relating to brewers retailing beer from the premises where brewed: provided, that no retail brewer, not being duly licensed to sell beer as a keeper of a common inn, alehouse, or victualling house, shall deal in or sell any table beer, or any beer except the strong beer which he or they shall brew, and be charged with the duty thereon, or shall at any one time use, employ, or consume any less quality than sixteen bushels of malt at any one brewing, upon pain of forfeiting for each offence 100*l.*, 5 *G. 4. c. 54. s. 7.*

32. No such brewer shall retail any beer from the premises where brewed, nor shall any such other person sell beer brewed by any other brewery, in casks containing not less than five gallons, or in not less than two dozen reputed quart bottles at one time, after the expiration of such excise licence; and every such brewer or other person shall take out a fresh licence for the purpose herein-before mentioned, in the manner herein-before directed, before the expiration of such former licence, and so in like manner renew every such licence from year to year; and if any brewer (not being duly licensed to sell beer as the keeper of a common inn, alehouse, or victualling house) shall retail or sell any beer at or from the premises where such beer is or has been brewed, in any less quantity than a whole cask containing four gallons and a half, at one time, without having first taken out and paid for a licence to brew, under this act, after the rate of 2*l.* at the least; or if any brewer so licensed to retail beer, shall brew, sell, or have in his possession any table beer; or if any person so licensed to sell beer brewed by any other brewer, in casks containing not less than five gallons, or in not less than two dozen reputed quart bottles at one time, shall brew any beer, or sell or have in his possession any table beer, or shall sell any beer in a less quantity at one time than as aforesaid; or if any brewer not being licensed to sell beer as the keeper of a common inn, alehouse, or victualling house, shall retail any beer at or from the premises where such beer is brewed, or any such other person shall sell any beer in casks or bottles, without first taking out such excise licence, authorizing him so to do, or without renewing the same as herein directed, or shall sell any beer to be drank or consumed upon the premises where sold, or in any shop,

house, outhouse, yard, garden, orchard, or other place adjoining the same, or belonging to or occupied by the person taking out such licence, or in which he shall have any interest or concern, or shall sell, deal in, or retail any other beer whatsoever, or in any other manner than is authorized by such licence; every such brewer and person so offending, shall for every such offence forfeit 100*l.*; provided all persons trading in partnership and in one house or shop only shall not be obliged to take out more than one licence in one year, for retailing beer, or for selling any beer brewed by any other brewer, in casks containing not less than five gallons, or in not less than two dozen reputed quart bottles at one time; and no one licence which shall be granted by virtue of this act, shall authorize any person to retail or sell any beer in any other place than in the place, room, storehouse, cellar, shop, house, or outhouse, whereof entry in writing shall be made at the office of excise, in the name of such brewer or other person at the time of granting such licence, and in respect whereof such licence was granted, 5 *G. 4. c. 54. s. 8.*

33. No brewer of beer in *G. B.* for sale, shall be entitled to renew his licence to retail, unless he shall have brewed and been charged with duty upon or for 100 barrels of strong beer at the least, in the year preceding the termination of such former licence, and so in proportion for such part of the preceding year for which such licence was taken out: but every such brewer who shall first take out and pay for such retail licence as aforesaid, shall be at liberty to retail beer under this act, from the time of taking out such licence, notwithstanding such brewer shall then newly begin and set up the trade of a brewer, or shall not in any previous year have brewed or been charged with duty upon or for so much beer as would make the licence duty, to which such brewer would be liable, amount to 2*l.*, 5 *G. 4. c. 54. s. 9.*

34. Licensed brewers who have retailed beer from their breweries, before *July 5th*, 1824, discharged from penalties, 5 *G. 4. c. 54. s. 10. Exp.*

35. No licensed brewer of beer for sale, who shall also be duly licensed to retail such beer under this act, shall sell, deliver, or send out, at or from his brewery, or the premises belonging thereto, or entered as aforesaid, or to any of his customers, any beer in any quantity less than a whole barrel, except between the hours of six in the morning and nine in the evening, or shall sell, deliver, or send out any beer during the usual hours of divine service on *Sundays*, upon pain of forfeiting for each offence 20*l.*, 5 *G. 4. c. 54. s. 11.*

36. All the powers, authorities, rules, regulations, restrictions, exceptions, provisions, clauses, matters, and things, which in any act or acts relating to licences to common brewers, or for the brewing of beer for sale, or to the retail of beer, cyder, or perry, or distilled spirituous liquors, or strong waters, or foreign wine, in force immediately before 4th *June*, 1824, are contained, not expressly altered by this act, and not repugnant thereto, shall be and continue in full force, as if the same had been expressly inserted and re-enacted in this act, 5 *G. 4. c. 54. s. 12.*

37. Every licence now, or which shall be hereafter granted, the duty on which is hereby repealed, and also, licences by this act imposed, shall expire on 10th *Oct.* in each year, and every common brewer who shall renew his licence for brewing beer in *G. B.* on or before said 10th *Oct.* and expiring on that day [so in the act], shall pay duty for the same for such time or part of the year only as shall be between the day when such licence was or ought to have been renewed, and the said 10th *Oct.*, and shall then renew such licence under this act to expire on 10th *Oct.* 1825, 5 *G. 4. c. 54. s. 13.*

38. Whereas licences to keep common inns, alehouses, or victualling houses, are in some parts of *G. B.* granted by the justices at other parts of the year than in the month of *September*, and excise licences to retail beer, spirits, and foreign wine, in such inns, alehouses, or victualling houses, have been granted, and are now in force; be it therefore enacted, that nothing in this act shall extend to alter or affect any licence granted and now in force, to retail or sell beer, spirits, or wine, in any inn, alehouse, or victualling house, before the expiration of the current year for which each such licence has been granted: but that all such licences to retail spirits or wine in any such common inn, &c. shall, on their previous expiration, be renewed for such part only of the current year for which such inn, alehouse, or victualling house shall be so authorized to be kept; and the commissioners of excise, and persons authorized by them, and the collectors, are to receive from the persons liable, a proportionate part of the duties payable on such licence, and to grant such licence for such fractional part of the year between the time when any such licence shall expire, and the remainder of the year for which such inn, alehouse, or victualling house shall be authorized to be kept; and in every future year, every excise licence to sell beer, spirits, or wine, shall be granted for the year ending on the next succeeding excise quarter day, after the expiration of the year for which such inn, alehouse, or victualling house shall be authorized to be kept, and shall then expire, and be renewed under this act, to the day of renewal, 5 *G. 4. c. 54. s. 14.* [See further as to licensing alehouses, &c. *ante*, tit. ALEHOUSES.]

39. Every person who shall, by any conviction, be disabled from holding or having a licence to keep a common inn, alehouse, or victualling

house, shall also, by such conviction, be disabled from taking out any excise licence to sell, and from selling beer by retail, in any manner whatsoever; and if any such person shall, after such conviction, take out or have any excise licence to retail beer, the same shall be void; and if any such person shall, after such conviction, sell beer by retail, he shall for every offence forfeit 50*l.*: and in all cases of prosecution against any such person, for any penalty under this act, a certificate from the clerk of the peace, of any such conviction, shall, on the trial, be legal evidence thereof, which certificate such clerk of the peace is required to grant on demand, without fee, 5 *G. 4. c. 54. s. 15.*

40. It shall be lawful for any brewer who shall, within three months before 4th *June*, 1824, have been charged with duties on strong and table beer, and shall on 4th *June*, 1824, be a licensed brewer carrying on the trade and business of a brewer of strong and table beer respectively, to take out such licence to retail as aforesaid, and to retail, under the regulations of this act, the strong beer by him brewed and charged with duty, without incurring any penalty for brewing, or having in possession, or selling the table beer by them brewed, and which shall be charged with duty, upon condition that every such brewer shall sell the whole of such table beer, and send the same out into consumption in casks containing at the least nine gallons in every cask, and accompanied with a certificate, the particulars whereof shall be duly entered in the counterpart of every such certificate, in the certificate book delivered by the officer of excise to and kept by such brewer; and if any such brewer shall not sell the whole of the table beer brewed by him, or which shall come into his possession, or on which such brewer shall be charged with duty as table beer, and at or below the price allowed and limited for table beer, from time to time as the same is brewed; or shall sell or send out any part thereof, otherwise than in a whole cask, containing at the least nine gallons, or without such certificate as aforesaid, expressing the date on which each such cask is sent out, and the name and place of residence of such brewer, and of the person to whom the same is sold, sent out, and delivered, together with the quantity of the beer as table beer, and the price at which the same is so sold, sent out, and delivered; or shall grant, issue, write, or enter any untrue certificate or counterpart, for or in respect of any such table beer; or shall mix with or put any table beer wort, or table beer, into or amongst any strong beer wort, or strong beer; or shall keep or have any table beer in the place entered by such brewer under the regulations of this act, for the retail of beer, every such brewer shall, for every such offence, forfeit 100*l.*; and upon the conviction of any such brewer of any such offence the retail licence granted to him shall be void, and such brewer shall be wholly disabled from taking out, having or holding any such retail licence for the future, 5 *G. 4. c. 54. s. 16.*

41. Every thirty-six gallons of beer, taken either by gauge or measure, shall, throughout *G. B.*, be reckoned and returned by the officers of excise for a barrel of beer; and the duty shall be charged thereon accordingly, and so in proportion for any less quantity; and no beer shall be sold by any brewer, dealer, or retailer, at any other quantity for the barrel than thirty-six gallons, any practice or usage to the contrary notwithstanding, 5 *G. 4. c. 54. s. 17.* See WEIGHTS, &c.

42. The act 22 & 23 *C. 2. c. 5. s. 10.* whereby it is enacted, that if any person inhabiting in any market town, or in any city or town corporate, or parts adjoining to any city or town corporate, where there is a common brewhouse, having and lawfully using any private brewing vessels for the brewing and making of beer or ale, to be spent and consumed in their private families, shall lend out any of their brewing vessels to be made use of by any other persons, not being of their family, for the brewing of beer or ale for the use of any other persons, then such person shall forfeit 50*l.*, shall be repealed, 5 *G. 4. c. 54. s. 18.*

43. If any person shall assault, resist, oppose, molest, obstruct, or hinder any officer of excise in the execution of the powers by this act or any other act relating to any duty of excise on beer, or any drawback payable in respect thereof granted, every person so offending shall forfeit 200*l.*, 5 *G. 4. c. 54. s. 19.*

44. All fines, penalties, and forfeitures imposed by this act, shall be sued for, recovered, levied, or mitigated, by such ways, means, or methods, as any fine, &c. may be sued for, &c. by any law of excise, or by action of debt, bill, plaint, or information in any of *H. M.*'s courts at *Westminster*, or in the court of exchequer in *Scotland*; one moiety to *H. M.* and the other to him who shall discover, inform, or sue for the same, 5 *G. 4. c. 54. s. 20.*

45. This act to commence and take effect from and after 10th *Oct.* 1824, except where otherwise specially directed, 5 *G. 4. c. 54. s. 21.*

46. But all the provisions, so far as the same affect brewers retailing beer, shall commence from the 5th *July*, 1824; and it shall be lawful for the commissioners of excise, and the persons authorized by them, and the collectors of excise, to receive, on request, a proportionate part of the retail licence duty hereby imposed on such retail brewer, and to grant such licence for the remainder of the year ending the 10th *Oct.* 1824, under this act, 5 *G. 4. c. 54. s. 22.*

BENEFICE.

1. For the relief in certain cases of the incumbents of ecclesiastical livings or benefices, mortgaged for building, rebuilding, repairing or purchasing houses, and other necessary buildings and tenements for such benefices, 5 *G. 4. c. 89.*

2. Whereas under 17 *G. 3. c. 53.* [*Dig. tit. BENEFICE, pl. 34.*] and 21 *G. 3. c. 66.* [*Dig. tit. BENEFICE, pl. 34.*] many mortgages of ecclesiastical livings and benefices have been made, and are still in force; and in most cases the money borrowed has been to the full amount allowed by the said acts, viz. two years net income of the respective livings; and whereas great reduction has taken place in the income and produce of many livings or benefices mortgaged under the said acts, whereby the incumbents are obliged to pay [*Stat. Dig. tit. id. pl. 40, 41, 42.*] a larger proportion of the present income than was intended according to the said acts, and it is just provision should be made therefore, it is enacted, that it shall be lawful for the incumbent of every living or benefice mortgaged before the passing of this act [21st *June*, 1824.], under the said former acts, for the amount of two years net income and produce thereof, to lay before the ordinary of such living or benefice, a just and particular account in writing, signed by such incumbent, and verified upon his oath, taken before some justice of the peace or master in chancery, ordinary or extraordinary (which oath every justice of peace and master in chancery is hereby empowered to administer), of the income or produce of such living or benefice, and of all rents, stipends, taxes, and other out-goings therefrom, excepting only the salary to the assistant curate, where a curate is necessary; and it shall be lawful for the ordinary thereupon to cause an enquiry to be made by the archdeacon, chancellor of the diocese, or other proper persons resident within or near the limits of such living or benefice, of the truth of the said account, and the result of the said inquiry, to be certified by such archdeacon, chancellor, or other persons; and the incumbent of such living or benefice, and the mortgagee or mortgagees thereof, may and they are hereby empowered, with the consent of the ordinary and patron, to agree that the yearly payments in discharge of the principal money secured by the mortgage of such living or benefice, and to become due after such agreement, shall be made at the rate of 5*l. per cent.*, or 10*l. per cent. per annum*, as the case may require, according to the directions of the former acts and this act, of the sum which two years net income and produce of the said living or benefice shall appear to amount unto, according to the account thereof laid before, and the certificate returned to, the ordinary, as herein mentioned; and every such agreement shall be valid and effectual; and the mortgage made of every such living or benefice shall remain in force as a security for the yearly payments thereby agreed to be made, as well as for payment of the interest arising on such mortgage, and with all the powers and remedies for enforcing the same given by the former acts, until the money borrowed, and all interest, and also all costs occasioned by the non-payment thereof, shall be fully paid in like manner as if such yearly payments had been mentioned in and secured by the said mortgage, the expiration of the term of years granted by the said mortgage, or any other matter notwithstanding, 5 *G. 4. c. 89. s. 1.*

3. Every agreement entered into by virtue of this act shall be in writing, in the form in the schedule [see *pl. 8.*] to the act annexed, under the hands of the ordinary, patron, incumbent, and mortgagee, or the common seal of such of them as shall be a body corporate aggregate; and in case the patronage of such living or benefice shall be in the crown, or the patron shall be a minor, idiot, lunatic, or feme covert, such agreement shall be signed by such persons as by the former acts are empowered in like case to consent to the proceedings thereby authorized [*Stat. Dig. tit. BENEFICE, pl. 49. 55.*]; and in case any such agreement shall relate to any chapelry or perpetual cure, the incumbent whereof shall be nominated by the rector or vicar, such rector or vicar shall be required to be a party to the agreements, together with the patron of the rectory or vicarage, 5 *G. 4. c. 89. s. 2.*

4. It shall be lawful for the governors of the bounty of queen *Anne*, to make and enter into such agreements as herein-before authorized, with respect to all or any of the mortgages made to the said governors by virtue of the said former acts, if it appear to the governors to be fit and proper so to do; and it shall also be lawful for all colleges and halls within the universities of *Oxford* and *Cambridge*, and for all other corporate bodies possessed of the patronage of any ecclesiastical livings or benefices, to enter into such agreements as herein-before authorized, with respect to all or any of the mortgages made to them, for any money advanced under the powers of the former acts, if it appear to them fit and proper so to do, 5 *G. 4. c. 89. s. 3.*

5. A copy of every such agreement shall be registered in the office of the registrar of the bishop, or other ordinary of the living or benefice to which such agreement shall relate, after having been first examined by

him; and such registrar shall register such copy, and make and sign a certificate on the original agreement, that a copy thereof is so registered, and shall be entitled to receive 5s. for such register; and every such copy shall be inspected upon all necessary occasions, the person who requires such inspection paying 1s.; and the registered copy, or a copy thereof certified under the hand of the registrar to be correct, shall be legal evidence, in case such agreement be lost or destroyed, 5 G. 4. c. 89. s. 4.

6. No affidavit, certificate, agreement, instrument, or proceeding under this act, shall be charged with any stamp duty, 5 G. 4. c. 89. s. 5.

7. In case any incumbent of any living or benefice, mortgaged, or to be mortgaged by virtue of the said former acts, who shall not reside twenty weeks in any year upon such living or benefice, shall have been non-resident in the same year by licence of the bishop of the diocese within which such living or benefice shall be locally situate, granted on account of any actual illness or infirmity, of mind or body, of such incumbent, or of his wife or child, making part of and residing with him as part of his family, such incumbent shall for every year in which he shall be non-resident by such licence, pay to the mortgagee of such living or benefice the like sum as he would have been liable to pay by virtue of the said former acts, or any agreement made under this act in case he had resided twenty weeks in the same year upon his said living or benefice, and no other or greater sum; provided that every such incumbent at the time of making such payment, or some person on his behalf, shall deliver to the mortgagee a certificate under the hand of such bishop, that such incumbent was non-resident in the year for which such payment is made, by the licence of the said bishop, granted for some or one of the causes herein-before mentioned, to be specified in the said certificate, 5 G. 4. c. 89. s. 6.

8. It shall be lawful for the governors of queen Anne's bounty for the augmentation of the maintenance of the poor clergy, at any time after the passing of this act [21st June 1824.], to reduce the rate of interest secured to them by any mortgage heretofore made to them, under the authority of the said former acts, and thereafter to become due, to such rate as to them shall appear reasonable, 5 G. 4. c. 89. s. 7.

The Schedule to which the 5 G. 4. c. 89. s. 2. pl. 3. refers.

Form of Agreement.

'Whereas in the year — the Rev. A. B., clerk, rector, [vicar or curate] of the parish church [or curacy or chapelry] of — in the county of — and the diocese of the bishop of — and under the jurisdiction of the said bishop, [or such other ecclesiastical person or corporation as shall be ordinary] as ordinary, by virtue and pursuant to the directions of an act of parliament passed in the 17th year of the reign of his majesty king Geo. III., intituled *An Act to promote the Residence of the Parochial Clergy, by making Provision for the more speedy and effectual building, rebuilding, repairing, or purchasing Houses and other necessary Buildings and Tenements for the Use of their Benefices*, obtained the consent of the said ordinary, and of the patron of the said church [or curacy or chapelry,] to borrow and take up at interest, on mortgage of the glebe, tithes, and emoluments of the said living, the sum of — pounds, being the amount of two years net income and produce of the said living, as then estimated and proved in the manner by the said act directed; and the said sum of — pounds was advanced by C. D., and a mortgage of the glebe, tithes, and emoluments of the said living, by indenture bearing date the — day of — was duly made and executed to him for securing the repayment thereof, with interest at the rate of — pounds per cent. per annum, by yearly payments, according to the directions of the said act, and of another act passed in the 21st year of his said Majesty's reign, to explain and amend the same: and whereas the several yearly payments which have become due upon the said mortgage, up to and including the — day of — last, together with all interest arising upon the said mortgage to that time, have been discharged, and there now remains due on the security of the said mortgage, the principal sum of — pounds, with interest thereon, from the said — day of — [if the incumbent entering into the agreement is a successor of him who made the mortgage, or the mortgagee is representative or assignee of him to whom the mortgage was made, the facts are to be here stated in proper recitals, and the proper parties are to be named in the subsequent parts of the agreement, instead of the parties to the mortgage]: and whereas the said A. B., pursuant to the directions of an act passed in the 5th year of the reign of his majesty king Geo. IV., intituled [set forth the title to this act,] has laid before the ordinary of the said living a just and particular account in writing, signed by him, and verified as by the said last-mentioned act is required, of the present income or produce of the said living, and of the out-goings therefrom; and the said ordinary has caused inquiry to be made of the truth of the said account, and the result of the said inquiry to be certified to him as by the said act required; and according to the said account and the certificates returned to the said ordinary, the net income and produce of the said living appears now to amount to the sum of — pounds, and therefore two years net income and produce thereof will amount to the sum of — and no more; and whereas the said C. D. is willing to accept such reduced yearly payments in discharge of the principal money remaining due on the said mortgage, as by the said last-mentioned act authorized and herein-after mentioned; now it is hereby

agreed by and between the said A. B. and C. D., with the consent of the said ordinary, and of — the patron [or patrons] of the said church, [or of — the rector or vicar of the parish church of — who is entitled to the nomination of the curate of the said curacy or chapelry of — and — the patron of the said parish church, or if any other person or persons shall according to the act be required to act for the patron, such person [or persons shall be named, with a proper description,] testified by the said ordinary and patron signing this agreement; [or if either of them shall be a body corporate aggregate, then by the said ordinary (or patron) signing, and the said patrons (or ordinary) causing their common seal to be affixed to this agreement;] and by virtue of the powers of the said last-mentioned act of parliament, that the yearly payments in discharge of the said sum of — pounds, remaining due on the said mortgage as aforesaid, shall be made at the rate of 5l. per cent. or 10l. per cent. as the case may require, according to the directions of the said several acts of parliament, of the said sum of — pounds, the amount of two years net income and produce of the said living, according to the late account and certificate herein-before mentioned; and the said mortgage of the said living is, pursuant to and by virtue of the said last-mentioned act, to be and remain in force as a security for the yearly payments hereby agreed to be made, as well as for payment of the interest arising on the said mortgage, and with all the powers and remedies for enforcing the same given by the said first-mentioned act, until the money borrowed on the said mortgage, and all interest for the same, and also all costs and charges which shall be occasioned by the non-payment thereof, shall be fully paid and discharged. Dated the — day of — in the year 18—.

9. To amend and render more effectual stat. 55 G. 3. c. 147. [Dig. tit. BENEFICE, pl. 57.] for enabling spiritual persons to exchange their parsonage houses or glebe lands, and for other purposes therein-mentioned, 6 G. 4. c. 8.

10. Whereas it is enacted by 55 G. 3. c. 147. s. 16. [Dig. tit. BENEFICE, pl. 77.] that the bishop in cases of exchange and purchase under that act, should issue a commission of inquiry for the purpose therein mentioned, to be directed to such persons as are therein described, and of whom one should be a barrister of three years standing at the least, to be named by the senior judge of Nisi Prius for the county in which the benefice, perpetual curacy, or parochial chapelry, where to it should be proposed to annex any buildings or land, by exchange or purchase, under the said act, should be situate: but inasmuch as the nomination of such barrister by a judge of Nisi Prius is not applicable to the counties palatine of Lancaster and Durham, it is therefore enacted, That where any exchange or purchase shall be made, or proposed to be made, under the authority of 55 G. 3. c. 147. in any benefice, perpetual curacy, or parochial chapelry, situate within the said counties palatine of Lancaster or Durham, such barrister shall be named by the chief justice or senior judge for the time being of the Court of Common Pleas for the said counties palatine respectively, 6 G. 4. c. 8. s. 1.

11. And whereas it is expedient that the incumbents of benefices, perpetual curacies, and parochial chapelries, should be enabled to exchange the glebe lands belonging to their benefices, &c. to a greater amount than thirty statute acres: it is therefore enacted, that from the passing of this act [viz. 25d March 1825.], the power to exchange glebe lands for others of equal value, which is given to parsons, vicars, and other incumbents, by 55 G. 3. c. 147. [Dig. tit. BENEFICE, pl. 59. &c.] be extended to any number of statute acres, but subject to all the provisions, conditions, and restrictions contained in 55 G. 3. c. 147., and also to those in 56 G. 3. c. 52. [Dig. tit. id. pl. 67. 77.] 6 G. 4. c. 8. s. 2.

12. And whereas by 55 G. 3. c. 147. the powers of exchange thereby given are limited to such houses, outbuildings, yards, gardens, and appurtenances and lands, to be accepted and taken in exchange by the spiritual persons therein named, as are of freehold tenure, or copyhold of inheritance, or for life or lives, holden of any manor belonging to the benefice in respect of which any such exchange is intended to be made: and whereas it may happen that such exchanges may sometimes be beneficially made where the lands or tenements so to be accepted and taken in exchange are copyhold of inheritance, holden of some manor not belonging to the benefice in respect of which such exchange is intended, and without injury to the lord or lords, lady or ladies of such manor; it is enacted, That from and after the passing of this act [25d March 1825.] it shall and may be lawful for the parson, vicar, or other incumbent for the time being, of any ecclesiastical benefice, perpetual curacy, or parochial chapelry, to grant and convey, in the manner, and by and under the several powers, provisions, conditions, and restrictions contained in 55 G. 3. c. 147., and in 56 G. 3. c. 52., and this act, to any such person or persons, or corporation, as in 55 G. 3. c. 147. are described, any such lands or tenements as are described in the same act, belonging to his benefice, in lieu of and in exchange for any lands or tenements of the description mentioned in 55 G. 3. c. 147., as those which are thereby authorized to be accepted and taken in exchange by any such parson, &c. although such last-mentioned lands or tenements may be copyhold of inheritance holden of a manor not belonging to such ecclesiastical

benefice, &c.: provided, that no such exchange be made without the consent of the lord of the manor of which the lands to be taken in exchange are holden: provided, that from and immediately after such conveyance, the lands or tenements accepted and taken in exchange by any such parson, vicar, or other incumbent, shall become and be of freehold tenure, and the lands or tenements by him granted and conveyed, and which before such conveyance belonged to his benefice, perpetual curacy, or parochial chapelry, shall become copyhold of the same manor, and subject to the same rents, fines, services, customs, and manorial rights and properties, to all intents and purposes, as the lands or tenements so to be accepted and taken in exchange, were subject to before the making of such exchange: provided, that from and after the passing of this act [23d March 1825.], three calendar months notice shall be sufficient for the purpose of any exchange or purchase, instead of six calendar months, as by 55 G. 3. c. 147. s. 14. [Dig. this tit. pl. 75.] required, 6 G. 4. c. 8. s. 3.

BENEFIT OF CLERGY.

1. For defining the rights of convicts after having been punished for clergyable felonies; for placing clerks in orders on the same footing with other persons as to felonies; and for limiting the effect of the benefit of clergy, 6 G. 4. c. 25. ss. 2, 3, 5. [See s. 1. *post*, tit. PARDON, s. 4. *post*, tit. SPIRITUAL PERSONS.]

2. Whereas it is expedient that the civil rights of persons having been convicted of felonies within the benefit of clergy, who have undergone the punishment to which they were adjudged, should be more clearly ascertained than is at present the case [Preamble to s. 1.]: and whereas by 4 H. 7. c. 13. [Dig. tit. BENEFIT OF CLERGY, pl. 2.] it is enacted, that every person not being within orders being convicted, and being admitted to the benefit of his clergy, shall be marked in the manner therein mentioned upon the brawn of the left thumb, before he be delivered to the ordinary: and whereas by 21 Ja. 1. c. 6. [Dig. tit. WOMEN, pl. 14, 15.], intituled, *An Act concerning women convicted of small felonies*, and by 3 W. & M. c. 9. [Dig. tit. BENEFIT OF CLERGY, pl. 26. *et seq.*], intituled, *An Act to take away clergy from some offenders, and to bring others to punishment*: and by 4 & 5 W. & M. c. 24. [Dig. tit. *id.* pl. 26. 51.] intituled, *An Act for reviving, continuing, and explaining several laws therein mentioned, which are expired, and near expiring*; and by 6 & 7 W. & M. c. 14. [Dig. tit. *id.* pl. 26.] intituled, *An Act for continuing several laws therein mentioned*; the like benefit is conferred on women as men enjoyed by the benefit of clergy: and whereas by 4 G. 1. c. 11. [Dig. tit. TRANSPORTATION, pl. 2.] intituled, *An Act for the further preventing robbery, burglary, and other felonies; and for the more effectual transportation of felons, and unlawful exporters of wool, and for declaring the law upon some points relating to pirates*; transportation for seven years was substituted for burning in the hand, in case of certain larcenies, within the benefit of clergy: and by 19 G. 3. c. 74. s. 3. [Dig. tit. BURNING IN THE HAND, pl. 2.] intituled, *An Act to explain and amend the laws relating to the transportation, imprisonment, and other punishment of certain offenders*, (which provision has been made perpetual by 39 G. 3. c. 45.) [Dig. tit. *id.* pl. 1.] the court before which any offender is convicted of any felony within the benefit of clergy, is authorized, if it shall think fit, instead of such burning or marking, to impose upon such offender a moderate pecuniary fine, or to order such offender to be whipped in the manner therein mentioned; and by the said provision it is expressly enacted, that the punishments so thereby substituted for burning or marking, shall have the like effects and consequences to the party on whom they are imposed, with respect to any discharge from the same or other felonies, or any restitution to his or her estates, capacities, and credits, as if he or she had been burned or marked: and whereas the punishment of whipping hath been, as to women, abolished by 1 G. 4. c. 57. [Dig. page 1595, pl. 16. 18.] and of late years, in the cases of many persons convicted of clergyable felony, no pecuniary fine hath been imposed: and whereas divers other acts of parliament have created felonies within the benefit of clergy, and divers others have given the benefit of clergy in cases wherein it was not before allowed, and such acts have not expressly declared that the punishments thereby authorized shall be in lieu of burning or marking: and whereas it is expedient that the benefit intended by the 19 G. 3. c. 74. should be extended to all cases of punishment inflicted upon persons convicted of clergyable felonies; it is enacted, That where any offender hath been or shall be convicted of any felony within the benefit of clergy, and hath endured or shall endure the punishment to which such offender hath been or shall be adjudged for such felony, the punishment so endured hath and shall have the like effects and consequences, to all intents and purposes whatsoever, as if he or she had been burned or marked according to the provisions of the

said recited acts of king Henry the seventh, king James the first, and king William and queen Mary, or any of them, 6 G. 4. c. 25. s. 2.

3. Whereas by 28 H. 8. c. 1. [viz. s. 7. Dig. tit. SPIRITUAL PERSONS, pl. 39.] it was enacted, that such as are within holy orders should from thenceforth stand and be under the same pains and dangers for the offences therein referred to, and should be used and ordered to all intents and purposes as other persons not being within holy orders; which enactment has been considered to have been repealed by stat. 1. Ed. 6. c. 12. [s. 4., Dig. tit. FELONS, &c. pl. 35.] or by 1 M. st. 1. c. 1. [s. 5. Dig. tit. *id.* same pl.]: and whereas it is expedient to revive the said provision of the said act H. 8., it is enacted, that clerks in holy orders, being convicted of felony, shall stand and be under the same pains and dangers for the same, and shall be used and ordered to all intents and purposes as other persons not being in holy orders; any law, statute, or usage to the contrary notwithstanding, 6 G. 4. c. 25. s. 3.

4. Clerks liable to punishment as if not in orders, 6 G. 4. c. 25. s. 4. [See the section at length, SPIRITUAL PERSONS.] The allowance of the benefit of clergy to any person who shall, after the passing of this act [20th May 1825.] be convicted of any felony, shall not render the person to whom such benefit is allowed, dispunishable for any other felony by him or her committed before the time of such allowance, any law, custom, or usage to the contrary notwithstanding, 6 G. 4. c. 25. s. 5.

BILLS AND NOTES.

To continue until 5th Jan. 1833, the 37 G. 3. c. 32. [Stat. Dig. tit. BILLS AND NOTES, pl. 13.]; for suspending the operation of the 17 G. 3. c. 30. [Dig. tit. BILLS AND NOTES, pl. 13. *et seq.*]; for restraining the negotiation of promissory notes and bills of exchange under a limited sum in England, 3 G. 4. c. 70. The 37 G. 3. c. 32. is suspended till 5th Jan. 1833, accordingly, 3 G. 4. c. 70.

BREAD.

(STATUTES repealed.)

1. Statutum de pistoribus. Stat. incert. temp. No. I. REP. 5 G. 4. c. 74. s. 23.

2. Assisa panis et cervisiæ. (The assize of bread and ale.) Stat. incert. temp. No. II. [REP. 5 G. 4. c. 74. s. 23.]

(STATUTE in force.)

3. For amending 53 G. 3. c. 116. [Stat. Dig. tit. BREAD, pl. 78—88. 90. 92.] which amends 31 G. 2. c. 29. and 13 G. 3. c. 62., so far as they relate to the price and assize of bread to be sold out of the city of London and the liberties thereof, and beyond the Weekly Bills of Mortality, and ten miles of the Royal Exchange, 5 G. 4. c. 50. [To commence on 1st July 1824, s. 3. PUBLIC clause, s. 4.]

4. Whereas 53 G. 3. c. 116. was passed, and whereas by reason of the great decrease that has taken place in the prices of the several articles in the making and baking of bread, since the passing of 53 G. 3. c. 116., it is necessary and expedient that the makers and bakers of bread for sale should receive a less allowance for their charges, labour, pains, and profit, than is granted by 53 G. 3. c. 116., it is enacted, that from 1st July 1824, and from time to time afterwards, and when and as often as any court of mayor and aldermen of any city, town corporate, or borough, county, riding, division, and place within that part of U. K. of G. B. and Ireland called G. B., where there shall be any such court, and when the same shall sit, and when such court shall not sit, the mayor of every such city; and where there shall be no such court of mayor and aldermen in any such city, then the mayor, bailiffs, or other chief magistrate or magistrates of every such other city; and in towns corporate and boroughs, the mayor, bailiffs, aldermen, or other chief magistrate or magistrates of every such town corporate or borough; and any two or more justices of the peace in towns or places where there shall be no such mayor, bailiffs, aldermen, chief magistrate or magistrates; and in counties at large, any two or more of H. M.'s justices of the peace, within their respective jurisdictions, shall set an assize of bread, in execution of the 53 G. 3. c. 116.; the allowance to the baker, when the assize shall be set from the average price of wheat, shall be 13s. 10½d. per quarter, and when the assize shall be set from the average price of flour, such allowance shall be 11s. 8d. per sack of flour, being in each case a decrease of one half an assize, or of one farthing in the quartern loaf, of the allowance given to the baker by 53 G. 3. c. 116.; and the said court of mayor and aldermen of any such city, town corporate, or borough, county, riding, division, and place where there shall be any such court, and when the same shall sit, and when such court shall not sit, the mayor of every such city; and where there shall be no such court of mayor and aldermen in any such city, then the mayor, bailiffs,

or other chief magistrate or magistrates of every such other city; and in towns corporate and boroughs, the mayor, bailiffs, aldermen, or other chief magistrate or magistrates of every such town corporate or borough; and any two or more justices of the peace in towns or places where there shall be no such mayor, bailiffs, aldermen, chief magistrate or magistrates; and in counties at large any two or more justices of the peace, within their respective jurisdictions, in setting the said assize, shall make such decrease by taking one half of an assize from each of the prices specified in the tables annexed to 53 G. 3. c. 116. according to the rules and proportions contained in the said tables, as nearly as can be, 5 G. 4. c. 50. s. 1. [See *Stat. Dig. App. No. xxxiv.*]

5. Neither this act, or any thing herein contained, shall extend to prejudice the ancient right or custom of the two universities of *Oxford* or *Cambridge*, or either of them, or of their or either of their clerks of the market, or the practice within the several jurisdictions of the said universities, or either of them, used to set, ascertain, and appoint the

assize and weight of all sorts of bread to be sold or exposed to sale within their several jurisdictions, but that they and every of them shall and may severally and respectively from time to time, as there shall be occasion, set, ascertain, and appoint, within their several and respective jurisdictions, the assize and weight of all sorts of bread to be sold or exposed to sale by any baker or other person whatsoever within the limits of their several jurisdictions; and shall and may enquire into and punish any breach thereof fully and freely in all respects as they used to do, and as if this act had never been made; any thing herein contained to the contrary thereof notwithstanding, 5 G. 4. c. 50. s. 2.

BUTTER AND CHEESE.

The weight of a wey of cheese, 9 H. 6. c. 8. [REPE. 5 G. 4. c. 74. s. 23.]

CATTLE.

1. To prevent the cruel and improper treatment of cattle. 3 G. 4. c. 71. [See as to maiming, &c. cattle, 4 G. 4. c. 54. s. 2. *post*, tit. OFFENCE, &c.]

2. If any person shall wantonly and cruelly beat, abuse, or illtreat any horse, mare, gelding, mule, ass, ox, cow, heifer, steer, sheep, or other cattle, and complaint on oath thereof be made to any justice of peace or other magistrate within whose jurisdiction such offence shall be committed, it shall be lawful for such justice or magistrate to issue his summons or warrant at his discretion, to bring the party complained of before him or any other justice or magistrate of the county, city, or place within which such justice or magistrate has jurisdiction, who shall examine on oath any witness or witnesses who shall appear to give information touching such offence (which oath such justice or magistrate may administer), and if the party accused shall be convicted of such offence, either on confession or upon such information as aforesaid, he shall forfeit, not exceeding 5*l.* or less than 10*s.* to H. M.; and if the party convicted shall refuse, or shall not be able forthwith to pay the sum forfeited, he shall, by warrant under the hand and seal of such justice or magistrate, within whose jurisdiction the person offending is convicted, be committed to the house of correction, or some other prison within the jurisdiction within which the offence was committed, there to be kept without bail for not exceeding three months, 3 G. 4. c. 71. s. 1.

3. Provided that no person shall suffer any punishment for any offence against this act, unless the prosecution be commenced within ten days after the offence committed; and when any person shall suffer imprisonment pursuant to this act in default of paying the penalty, such person shall not be liable afterwards to any such penalty, 3 G. 4. c. 71. s. 2.

4. Provided also, that no order or proceedings to be made or had by or before any justice or magistrate by virtue of this act, shall be quashed or vacated for want of form, and that the order of such justice or magistrate shall be final; and that no proceedings of such justice or magistrate shall be removable by certiorari or otherwise, 3 G. 4. c. 71. s. 3.

5. The justice or magistrate before whom any person shall be convicted of any offence against this act, may cause the conviction to be drawn up in the following form of words, or in any other form to the same effect, viz.

'Be it remembered, that on the ——— day of ——— in the year of our Lord ——— A. B. is convicted before me, one of his Majesty's justices of the peace for ———, or mayor or other magistrates of ——— [as the case may be] either by his own confession, or on the oath of one or more credible witness or witnesses [as the case may be] by virtue of an act made in the third year of the reign of his Majesty king George the Fourth, intituled an act to prevent the cruel and improper treatment of cattle, [specifying the offence, and time and place where the same was committed, as the case may be.] Given under my hand and seal, the day and year above written.'—3 G. 4. c. 71. s. 4.

6. If on hearing any such complaint the justice or magistrate, who shall hear the same, shall be of opinion that such complaint was frivolous or vexatious, then it shall be lawful for such justice or magistrate, to order the person making such complaint to pay to the party complained of, any sum not exceeding 20*s.* as a compensation for the trouble such party was put to; such order to be final between the said parties, and the sum thereby ordered to be paid and levied in manner as before provided for enforcing payment of the sums to be forfeited by the persons convicted of any offence against this act, 3 G. 4. c. 71. s. 5.

7. If any action or suit shall be brought or commenced against any person, for any thing done in pursuance of this act, it shall be brought or commenced within six calendar months next after every such cause of action named, and shall be brought, laid, and tried in the county, city, or place in which such offence was committed, and not elsewhere; and the defendant in such action may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereon, and that the same was done under the authority of this act; and if it shall so appear, or if any such action shall not be commenced within the time limited, or shall be laid or brought in any other county, city, or place than where the offence was committed, then the jury shall find for the defendant; or if the plaintiff shall become nonsuit or discontinue his action, or if judgment shall be given for the defendant therein, then such defendant shall have treble costs with the usual remedy to recover the same, 3 G. 4. c. 71. s. 6.

CHEAT.

Sending threatening letters, 30 G. 2. c. 24. s. 1. [Stat. Dig. this title *pl.* 6.] REPEALED, and new punishment, 4 G. 4. c. 54. s. 3. See *post*, OFFENCE, &c.

CHARITIES.

1. To continue for four years, and from thence until the end of the then next session of parliament, the powers of the commissioners for enquiring concerning charities in *England* and *Wales*, 5 G. 4. c. 58.

2. Whereas the commissioners appointed under 58 G. 3. c. 91., amended and continued by 59 G. 3. c. 81. [Stat. Dig. tit. CHARITIES, *pl.* 59.] have pursued the inquiries thereby directed, and have made several reports, but further time is requisite for enabling them to complete their inquiries: be it enacted, that the said acts shall be continued from the expiration thereof for four years, and thence until the end of the then next session of parliament, 5 G. 4. c. 58.

CHELSEA AND KILMAINHAM HOSPITALS.

1. For transferring such of the duties of the commissioners or governors of *Kilmainham* hospital as relate to the management and payment of out-pensions to the commissioners of *Chelsea* hospital, 3 G. 4. c. 57.

2. The 47 G. 5. sess. 2. c. 5. [Stat. Dig. tit. CHELSEA, &c., *pl.* 11.] repealed so far as it relates to the out-pensioners of *Kilmainham* hospital, 3 G. 4. c. 57. s. 1.

3. From 24th Dec. 1822, all out-pensions granted, or to be granted, to disabled, invalid, or discharged soldiers, or other persons, which have heretofore been made by the commissioners of *Kilmainham* hospital, and which were under their power and controul, shall be made by, and be under the power and controul of the commissioners of *Chelsea* hospital, 3 G. 4. c. 57. s. 2.

4. *Chelsea* hospital may make rules for the payment of out-pensions

heretofore received from or under the management of *Kilmainham* hospital, and also require certificates, proofs, vouchers, or receipts for the better regulating such payments, 3 G. 4. c. 57. s. 3.

5. *Kilmainham* hospital shall meet monthly, upon some day to be publicly notified, to examine the claims of persons entitled to out-pensions, and shall take down the name and description, abode, length, and particulars of service, and cause of discharge, nature of hurt, and disability, if any, of persons so applying; and afterwards transmit a certificate thereof, and the rate of pension which such governors think it proper to recommend for each pensioner to *Chelsea* hospital, which certificate shall be in the form directed by *Chelsea* hospital commissioners, who shall on receipt of certificate, determine the pension each person is entitled to by virtue of his services or for disability, and in conformity to any order in council, or rules, &c. made by H. M. for fixing pensions; and *Chelsea* hospital shall direct the agent of out-pensioners to pay such pensions, and to remit them in the way *Chelsea* hospital out-pensions are paid, 3 G. 4. c. 57. s. 4.

6. Every pensioner resident in *G. B.* who is entitled to receive his pension by remittance or order, shall notify to *Chelsea* hospital any change of his residence, and those resident in *Ireland* shall notify the same to the *Chelsea* hospital agent in *Dublin* or to *Chelsea* hospital, otherwise loss sustained by want of such notice shall fall on the pensioner, 3 G. 4. c. 57. s. 5.

7. The comptroller of *Chelsea* hospital, and the chief and first and second clerk in the secretary's office shall, as occasion requires, administer to every person entitled to, or claiming to be entitled to, any out-pension or allowance of money from *Chelsea* or *Kilmainham*, or to any allowance for service, every oath legally required; and also administer any other oath to such person as is necessary for the purpose of proving identity or service, or particulars of service in the army, or any other service for which an out-pension or allowance is claimed, 3 G. 4. c. 57. s. 6.

8. Any persons who shall take any false oath as to such particulars, in s. 6. pl. 7., before such secretary or clerks, shall be deemed guilty of perjury, and be punished accordingly, 3 G. 4. c. 57. s. 7.

9. Every out-pensioner, heretofore belonging to *Kilmainham* hospital, shall be subject to the same laws and regulations of assignment of their pensions, or the orders of justices for the payment of the same, to the overseers of the poor of any parish, by whom relief may be granted to indigent persons entitled to such pensions, or their families, as the out-pensioners of *Chelsea* hospital are subject to under 59 G. 3. c. 12. s. 30. [Stat. Dig. tit. Poor, pl. 126.] 3 G. 4. c. 57. s. 8.

10. From 5th July 1822, the governors of *Kilmainham* hospital may receive as in-pensioners any of the out-pensioners resident in *Ireland*, 3 G. 4. c. 57. s. 9., and when any pensioner is so admitted, notice thereof shall be given, with all particulars relating to the same, within fourteen days of such admission, by *Kilmainham* to *Chelsea* hospital, in order that pensioners so admitted may be struck off the pension list, 3 G. 4. c. 57. s. 10.

11. After 5th July 1822, *Chelsea* hospital, by writing, may call for, and *Kilmainham* hospital shall, within ten days after notice to that effect, furnish to *Chelsea* hospital, or their authorized agent, all such books, papers, lists, documents, or other writings in their possession or controul, as relate to the persons at any time heretofore admitted out-pensioners of *Kilmainham* hospital, together with a registry of their service, and the discharges of all such soldiers as have been admitted pensioners of *Kilmainham* hospital, and all papers relating to persons registered with a view to pensions being granted, and all other papers *Chelsea* hospital may require, 3 G. 4. c. 57. s. 11.

12. To prevent the illegal pawning of clothes and stores belonging to *Chelsea* hospital; to give further powers to the treasurer and deputy treasurer of *Chelsea* and *Greenwich* hospitals, to punish persons fraudulently receiving prize-money or pensions; and to enable the commissioners of *Chelsea* hospital to hold lands purchased under the will of Colonel *Drowly*, 5 G. 4. c. 107.

13. Whereas the pensioners of *Chelsea* hospital and others have at various times pawned, or illegally disposed of clothes, linen, stores, and other goods delivered to them to wear or use, be it enacted, That the commissioners of the said hospital shall, and they are hereby empowered to cause the clothes, linen, stores, and other articles belonging to the said hospital capable of being marked, to be marked, stamped, or branded with the words "*Chelsea* hospital;" and if any pensioner or other person shall pawn, sell, or illegally dispose of, or if any pawnbroker or other person shall take in pawn, buy, exchange, or receive any clothes, linen, or other goods so marked, upon any account whatever (such mark, stamp, or brand to be taken as sufficient evidence without further proof that the articles so marked, &c. are the property of the said commissioners); or if any pensioner or other person shall cause such mark, &c. to be taken out, obliterated, or defaced from any of the

articles belonging to the said hospital, the person so offending shall forfeit for such offence 10*l.*, upon conviction thereof by oath of one credible witness before one or more of H. M.'s justices of peace for the county where the offence was committed; which penalty shall be levied by warrant under the hand and seal or hands and seals of such justice or justices, by distress and sale of the offender's goods; one moiety of the penalty shall be paid to the informer and the other to the hospital; and in case any offender convicted of any such offence, as aforesaid, shall not have (or shall, at the time of conviction, declare that he has not) sufficient goods whereon distress may be made to the value of the penalty recovered against him; or in case it shall be considered by the justice or justices convicting the offender, that the offender is likely to abscond before the penalty can be levied by distress, then such justice or justices shall, by warrant under his or their hand and seal, or hands and seals, commit the offender to the common gaol of the county where such offence shall be committed, there to remain without bail, &c. for three calendar months, or until the said penalty is paid, 5 G. 4. c. 107. s. 1.

14. All actions and suits to be brought or commenced by or on behalf of the commissioners of the said royal hospital for soldiers at *Chelsea*, shall be brought, commenced, and prosecuted in the name of the treasurer or deputy treasurer of the said royal hospital for the time being; and upon the trial or hearing of any such action or suit, it shall not be necessary to produce the commission appointing the commissioners of the said royal hospital, nor the warrant or authority appointing the said treasurer or deputy treasurer to their respective offices, but the general acting of the said treasurer or deputy treasurer in their said respective offices of treasurer or deputy treasurer shall be deemed sufficient proof of the due appointment of them respectively to their said respective offices; and in all indictments, informations, and other proceedings against any person or persons for feloniously stealing, or taking away, or pawning, or unlawfully disposing of, or buying, exchanging, receiving or taking in pawn any of the goods or property belonging to the said royal hospital or the commissioners of the same, it shall be sufficient to charge the same as being the property of the commissioners of the royal hospital for soldiers at *Chelsea*, 5 G. 4. c. 107. s. 2.

15. And whereas divers questions and doubts have arisen as to the right of the treasurer or deputy treasurer for the time being of the said royal hospital for soldiers at *Chelsea*, to come in and prove debts, and receive dividends, and otherwise to act as a creditor against the estate and effects of any bankrupt under any commission of bankrupt, or against the estate or effects of any insolvent debtor taking the benefit of the several acts for the relief of insolvent debtors, upon the amount or for or in respect of any prize, grant, bounty, or other monies belonging to or given or appropriated to the said hospital, or to the army generally, or to any divisions, battalions, regiments, or individuals of the army, under the several acts of parliament for the appropriation and distribution of such prize, bounty, grant, or other monies respectively: and whereas it is expedient to put an end to all such questions and doubts, but without prejudice to any questions now depending in any petition in any matter of bankruptcy, or any questions which may arise out of or in consequence of such petition, be it therefore enacted, That it shall from time to time and at all times hereafter be lawful to and for the said treasurer or deputy treasurer for the time being of the aforesaid hospital or either of them, by themselves or himself, or by their or either of their deputy or deputies, to be by them or either of them for such purposes or any of them nominated or appointed by any deed or writing, under their or either of their hands or hand, for and on behalf and in the name of the said treasurer or deputy treasurer for the time being, or either of them, or for and on behalf and in the name or names of the commissioners for the time being of the said hospital, or any of them, to appear before the major part of the commissioners named in any commission of bankrupt, in any public or private meetings of such commissioners under any such commission, and to prove the amount of all prize or bounty money, grant, or monies, or balances of prize or bounty money, grant, or monies, or other allowances of money in the nature thereof, in the hands, custody, or power of or unpaid by such bankrupt at the date and issuing of every such commission of bankrupt, either as original, or as substituted agent, or under or by virtue of any order or orders of the persons entitled to the same, or otherwise howsoever, in or to which the said hospital or the army generally, or any division or divisions, battalion or battalions, regiment or regiments, individual or individuals of the army shall be interested or entitled under the several acts of parliament already enacted and now in force, or at any time or times hereafter to be enacted or become in force, for the appropriation and distribution of prize, bounty, grant, or other monies as aforesaid, or any part thereof respectively, or otherwise howsoever, and whether such prize or bounty monies, grant, or balances of prize or bounty monies, or other monies in the nature thereof, or any part thereof, shall or shall not have been notified for distribution, or shall or shall not be payable to the said treasurer or deputy treasurer of the said hospital, or such person as

either of them shall appoint or depute to receive the same, previously to the date and issuing of such commission or commissions of bankrupt; or whether the same or any part thereof shall or shall not then be actually liable to distribution under the said acts or any of them as a debt due from such bankrupt to the said treasurer or deputy treasurer; or to the commissioners of the said hospital, or any of them; and to make every such proof of debt upon the oath or affirmation, as the case may require, of such treasurer or deputy treasurer of the said hospital for the time being, or of any clerk or clerks, or other officer or officers of the said hospital, conversant or acquainted with the books and affairs of the said hospital, who shall swear or affirm as to the amount of such prize, bounty, grant, or other monies, or balances of prize, bounty, grant, or other monies, of which such proof shall be so tendered, to the best of his or their knowledge and belief, after an examination of the books of the said hospital relating thereto, or by a production of the books of the said hospital, or the production of the certificate of the examiner of prize accounts, or by a production and examination of the book or books of such bankrupt, or the personal examination on oath of such bankrupt respectively, under such commission of bankrupt; and which production and examination of the bankrupt's books and accounts, and of such bankrupt, the said treasurer or deputy treasurer, or such other person or persons as they or either of them shall so appoint as aforesaid, are hereby empowered to require, or in default of such evidence, then by such other evidence as to the said commissioners, named and authorized in every such commission of bankrupt under which such proof shall be tendered, or the major part of them, shall under the circumstances seem reasonable; the making of every such proof, nevertheless, to be liable to such opposition, and every such proof, when made, liable to be expunged in the same way and upon the same evidence as any other proof of debt by any other person claiming to prove or having proved under such commission or commissions of bankrupt respectively; and also to receive and take, and to give good and effectual discharges for all and every dividend and dividends payable or to become payable by or out of the estate and effects of such bankrupt or bankrupts, or any part thereof, upon the amount of any and every such proof of debt under such commission or commissions; and also to vote in the choice of any assignee or assignees of the estate and effects of any such bankrupt for the whole sum proved; and also to assent to or dissent from the signing and allowing the certificate of such bankrupt; and further to have, use, and exercise all and every other rights, authorities, and powers whatsoever, in respect of the estate and effects of any and every such bankrupt, or the sale or disposition thereof, and otherwise to act therein, or in any matter relating thereto, in the same manner and to the same extent as any other creditor or creditors of such bankrupt or bankrupts, proving a debt to a like amount under such commission or commissions of bankrupt respectively might or could do or use or exercise; and also to come in and receive and give a legal and effectual discharge or discharges for any sum of money as or in the nature of a dividend or dividends payable or to become payable by or out of the estate and effects of any insolvent debtor, who, at the time of his presenting any petition for his discharge from prison under the several acts of parliament now in force for the relief of insolvent debtors, or hereafter to come in force and be enacted, or any of them, shall have any such prize, bounty, grant, or other money or monies, or balances of prize, bounty, grant, or other money or monies, in his hands, in or to which the said hospital, or the army generally, or any division or divisions, battalion or battalions, regiment or regiments, individual or individuals of the army, shall be so interested or entitled as aforesaid, and whether the same shall or shall not have then been previously notified for distribution, and shall or shall not then be payable over to the said treasurer or deputy treasurer of the said hospital, or such person as either of them shall appoint or depute to receive the same, upon and for the amounts of all such prize, bounty, or other money or monies, or balances of prize, bounty, grant, or other money or monies respectively, which, at the time of such insolvent debtor presenting his aforesaid petition of discharge shall be in his hands, custody, or power; and also to appear upon and oppose, or consent to any such petition of discharge, and in all other respects to have and exercise and use all and every rights, powers, and authorities in respect of the estate and effects of such insolvent debtor, and the sale, disposition, and distribution thereof, and to do and act in all other matters in anywise relating thereto, in the same manner and to the same extent as any other creditor or creditors of such insolvent debtor for a like amount would have or be entitled to, or might or could use or exercise in respect of such estate and effects, or the sale or disposition thereof, or otherwise relating thereto, 5 G. 4. c. 107. s. 3.

16. All and every the powers, rights, and authorities by this act given or directed or allowed to be used by the treasurer or deputy treasurer of *Chelsea* hospital, with respect to army prize money in cases of bankruptcy or insolvency, shall and may be used, exercised, and employed by the treasurer or deputy treasurer of *Greenwich* hospital with respect

to all naval prize money, grants, percentage, or other allowances of money or shares thereof, due or payable or given to the commissioners and governors of *Greenwich* hospital, or due or payable or given to his majesty's navy or marines, or the individual officers or privates thereof, or other persons entitled to share therein, or in which the said royal hospital at *Greenwich* or such person as aforesaid have a beneficial interest, in as full and ample a manner as if the said powers and authorities were herein particularly repeated and specified: provided that nothing herein-before contained shall in any manner affect any questions depending at the time of passing this act in any matter in bankruptcy, in any petition presented before 24th June 1824, or on any questions which may arise out of or in consequence of such petition; but all matters so depending in such petition, or so arising, shall be decided and determined as if this act had not passed, 5 G. 4. c. 107. s. 4.

17. And whereas it is expedient that the crimes of personating and falsely assuming the name and character of any person entitled to prize-money or pension, for the purpose of fraudulently receiving the same, should no longer be punished with death; be it further enacted, that from and after the passing of this act, whosoever shall willingly and knowingly personate or falsely assume the name or character of any officer, soldier, seaman, marine, or other person entitled or supposed to be entitled to any wages, pay, pension, prize-money, or other allowance of money for service done in H. M.'s army or navy, or shall personate or falsely assume the name or character of the executor or administrator, wife, relation, or creditor of any such officer or soldier, seaman, marine, or other person, in order fraudulently to receive any wages, pay, pension, prize-money, or other allowances of money due or supposed to be due for or on account of the services of any such officer or soldier, seaman or marine, or other person, every such person being thereof convicted, shall be liable, at the discretion of the court, to be transported beyond seas for life, or for any term of years not less than seven, or to be imprisoned only, or imprisoned and kept to hard labour in the common gaol or house of correction for any time not exceeding seven years, 5 G. 4. c. 107. s. 5.

18. And whereas by an act, 58 G. 3. c. 73., intituled, *An Act for regulating the payment of regimental debts, and the distribution of the effects of officers and soldiers dying in the service, and the receipt of such sums due to soldiers*; it is enacted, that no person not being an agent of some regiment, battalion, or corps of H. M.'s army, or of the militia, shall receive for any non-commissioned officer or soldier, or for any representative or representatives of, for any non-commissioned officer or soldier, any pay or arrear of pay, or any effects or proceeds of any effects of any deceased non-commissioned officer or soldier dying while in H. M.'s service, unless such person shall be entitled to receive such pay or effects or proceeds, or any part thereof, as a devisee or next of kin, or executor or administrator of such non-commissioned officer or soldier: and it is by the said act further enacted, [s. 6.] that it shall not be lawful for any agent or agents appointed for the distribution of army prize or bounty money, grant or other allowances of money in the nature thereof, or for the treasurers of *Chelsea* hospital, to pay the share of any non-commissioned officer or soldier to any person or persons whatsoever, other than the non-commissioned officer or soldier entitled to the same, or to the next of kin, or executor or administrator of such non-commissioned officer or soldier, or to the agent of any regiment, battalion, or corps of H. M.'s army or militia, duly authorized by the party entitled thereto to receive the same: and whereas it is expedient that the commissioners of the said royal hospital shall have power, under special circumstances, to authorize the treasurer and deputy treasurer of the said royal hospital to pay shares and balances upon prize orders to persons not coming within the description of agents as in the said act mentioned; be it therefore enacted, That in all cases in which non-commissioned officers or soldiers shall previously to 24th June 1824, have made their prize orders in favour of other persons than regimental agents, either from the circumstance of there having been no agent for the regiment, battalion, or corps to which such non-commissioned officers and soldiers belonged or were attached, at the date or making of such prize orders respectively, or from any other causes which shall seem reasonable and sufficient to the commissioners of *Chelsea* hospital, and in all cases in which non-commissioned officers or soldiers shall hereafter make their prize orders in favour of other persons than regimental agents, from the circumstance of there being no agent appointed for the regiment, battalion, or corps to which such non-commissioned officers and soldiers respectively belong or are attached at the time of making their prize orders, it shall be lawful for the commissioners of the royal hospital at *Chelsea*, and they are hereby authorized and empowered to direct payment to be made upon such orders by the treasurer or deputy treasurer of the said royal hospital to the persons named as the payee therein, or to the legal representative of such payee, any thing in 58 G. 3. c. 73. contained in anywise notwithstanding, 5 G. 4. c. 107. s. 6. [See 6 G. 4. c. 61.]

19. And whereas Colonel *John Drouly*, by his will, gave all his resi-

duary estate, after payment of certain legacies, to be equally divided between the royal hospitals at *Chelsea* and *Greenwich*, to be paid to the treasurers of the said royal hospitals, to be applied for the use and benefit of the pensioners of the said respective hospitals in such manner as the governors and directors should order and direct: and whereas the commissioners of the royal hospital at *Chelsea* have contracted for the purchase of a piece of land adjoining the said hospital, being part of the *Ranelagh* estate, for the use and benefit of the pensioners of the said royal hospital; be it further enacted, That any sum not exceeding ten thousand pounds, part of the residuary estate of the said Colonel *John Drowly*, shall and may be applied in the purchase of and payment for the piece of land so contracted for by the said commissioners; and the said piece of land shall and may be conveyed to and for ever thereafter be held by the commissioners of the said royal hospital of *Chelsea* for the time being, and their successors, or conveyed to a trustee or trustees on behalf of the said commissioners for the time being of the said royal hospital, for the use and benefit of the said royal hospital, 5 G. 4. c. 107. s. 7.

CHURCHES.

1. To amend and render more effectual, 58 G. 3. c. 45., and 59 G. 3. c. 134. [*Stat. Dig. tit. CHURCHES, pl. 42.*] for building and promoting the building of additional churches in populous parishes, 3 G. 4. c. 72. [AMD. together with the 58 G. 3. c. 45. and 59 G. 3. c. 134. by 5 G. 4. c. 103.]

2. Whereas by 58 G. 3. c. 45., intituled, *An Act for building and promoting the building of additional churches in populous parishes*: and 59 G. 3. c. 134., intituled, *An Act to amend and render more effectual An Act passed in the last session of parliament, for building and promoting the building of additional churches in populous parishes*, were passed: and whereas it is expedient that some of the provisions of the said recited acts should be amended, and others explained and enlarged, and that further and additional provisions should be made, for rendering the said two acts more effectual; be it therefore enacted, That it shall be lawful for the master-general and principal officers of H. M.'s ordnance, and also for the comptroller of the barrack department, and also for the principal officers of any other public department, having or holding any messuages or buildings, or any lands, grounds, tenements, or hereditaments, for and on behalf of H. M., for the public use of any such department, by any grant or conveyance, signed by the master general or any two of the principal officers of the ordnance department; or by any grant or conveyance, signed by the comptroller of the barrack department; or by any grant or conveyance, signed by any one or more of the principal officers of any such other public department as aforesaid, and countersigned, as to all such last-mentioned grants or conveyances, by any three or more of the commissioners of H. M.'s treasury of the U. K. of *Great Britain and Ireland*; and it shall also be lawful for any and every body politic, corporate, and collegiate, and corporation aggregate or sole, or for any trustees, guardians, commissioners, or other persons having the controul, care, or management of any hospital, schools, charitable foundations, or other public institutions, by any grant or conveyance signed by or under the seal of such body or corporation respectively, to give, grant, and convey any messuages, buildings, lands, grounds, tenements, or hereditaments respectively; and if any such messuages, buildings, lands, grounds, tenements, or hereditaments respectively, shall be copyhold at the time of any such gift, grant, or conveyance, in any case in which the lord is willing, to enfranchise the same; to be used as sites for churches or chapels, or for enlarging sites of churches or chapels; or for church or chapel yards or cemeteries, or for enlarging sites for church or chapel yards or cemeteries; or for parsonages or residences for ecclesiastical persons; and all such gifts, grants, and conveyances shall be made to the commissioners, or such other person or persons as shall be specified by the said commissioners, under the 58 G. 3. c. 45., and 59 G. 3. c. 134. and this act, to be used for the purposes thereof; and all such gifts and grants may be made and given without any valuable consideration whatever; and all conveyances and assurances made for carrying any such gifts or grants into effect, shall be valid to all intents and purposes whatsoever; any law, statute, usage, or custom to the contrary notwithstanding; and all bodies politic, corporate or collegiate, and all persons whosoever so giving, granting, and conveying as aforesaid, are hereby indemnified for or in respect of any such gift, grant, conveyance, or enfranchisement, which he, she, or they, or any of them, shall respectively make or convey by virtue of or in pursuance and for the purposes of the said recited acts and this act, 3 G. 4. c. 72. s. 1.

3. All grants, conveyances, and assurances which shall be made under the authority of the said recited acts or this act, or either of them, of any messuages, buildings, lands, grounds, tenements, or hereditaments, whether belonging to H. M. as part of the duchy of *Cornwall*, or of the

duchy of *Lancaster*, or otherwise, or to any body or persons whatever, to the said commissioners, or any other person under their direction, for the purposes of the said recited acts and this act, shall be made according to the form following, or in such other form as the case may require, or as near thereto as the circumstances of the case will admit; *videlicet*,

'I [or We, or the corporate title if a corporation] under the authority and for the purposes of an act passed in the fifty-eighth year of the reign of his late majesty, intituled "An act for building and promoting the building of additional churches in populous parishes;" and of another act passed in the fifty-ninth year of the reign of his late majesty, intituled "an act to amend and render more effectual an act passed in the last session of parliament, for building and promoting the building of additional churches in populous parishes;" and of another act passed in the third year of the reign of his present majesty, intituled, "An act to amend and render more effectual two acts passed in the fifty-eighth and fifty-ninth years of his late majesty, for building and promoting the building of additional churches in populous parishes;" do hereby freely and voluntarily give to his majesty's commissioners, [or, to] (as the case may require); and by these presents, freely and voluntarily, and without any valuable consideration; [if the lands, *et cætera*, are conveyed for a valuable consideration, leave out the words in *italics*, and insert do, for and in consideration of the sum of

to me, or us, or the paid hereby, under the authority of the several recited acts, grant, convey, and release to the said] all [describing the premises to be conveyed] and all [my, or our, or the] right, title, and interest of [if a corporation] to and in the same and every part thereof; to hold to the said and their successors, for the purposes of the said several acts, and to be devoted, when consecrated, to ecclesiastical purposes for ever, by virtue and according to the true intent and meaning of the said several recited acts. In witness whereof, *et cætera*.'

And all such conveyances and assurances shall be valid, to all intents and purposes, and shall be a complete bar to all estates tail and other estates, rights, titles, trusts, and interests, and incumbrances whatsoever, 3 G. 4. c. 72. s. 2.

4. It shall be lawful for the said commissioners under the said recited acts and this act, to procure and obtain, or require parishes, chapelries, townships, and places to provide and furnish, by all or any of such ways and means as are specified in the said recited acts or either of them, or this act, in relation to sites for additional churches, or for church or chapel yards or cemeteries, or to accept and receive as gifts and grants under and for the purposes of the said recited acts and this act, and to take grants of to themselves, or direct grants of to be made to any other persons specified by them for that purpose, any such land or ground, or additional land or ground, as may in the judgment of the said commissioners be required for the enlarging or improving any church or chapel, and also any land or ground which may be required or be convenient for the rebuilding of any church or chapel, whether contiguous or not to the present site thereof; and all the powers, authorities, clauses, and provisions in the said recited acts or either of them, or in this act contained, in relation to the obtaining or procuring any lands or grounds, or requiring any lands or grounds to be provided or furnished by any parishes or places for any sites for additional churches, or any other purpose of the said recited acts, shall extend to the obtaining, procuring, requiring, accepting, or receiving, under the authority of the said recited acts or this act, or either of them, any lands or grounds for the purposes aforesaid, as fully and effectually as if all such powers and authorities had been given, and all such clauses and provisions had been repeated and re-enacted in this act as to such lands and grounds, 3 G. 4. c. 72. s. 3.

5. In every case in which any lands, tenements, hereditaments, or any interest in or arising out of any lands, tenements, or hereditaments, shall be given up, sold, or surrendered by, or taken under the provisions of the said act or this act, from any body politic or corporate, or person, and [so in act, qu. in] which any such body politic, corporate, or person shall be entitled to take any fine or fines upon the renewal of any life or lives, or of any lease or leases upon or of any such lands, tenements, or hereditaments, the amount of the value of the interest of such body politic or corporate, or person, which would arise out of the renewal of such life or lives, or lease or leases, if the same were renewed at the time of such lands, tenements, or hereditaments being so given up, sold, surrendered or taken, shall be paid to the body politic, corporate, or person entitled thereto, out of the principal sum ascertained under the provisions of the said recited acts as the value of such lands, tenements, or hereditaments; and the remainder of such principal sum shall be applied under the provisions of the said recited acts or this act, 3 G. 4. c. 72. s. 4.

6. It shall be lawful for the commissioners under the said recited acts and this act, to lend and advance to any parish or place any such sum as to the said commissioners may appear to be required and expedient to lend and advance, for building of any additional church or chapel, or churches or chapels, or rebuilding or in aid of building or rebuilding any church or chapel, or for or towards completion of the building or rebuilding of any church or chapel already commenced or in part built

or rebuilt, or for the payment or part payment of any expences or sums due or to become due upon any contract heretofore made, or which may hereafter be made for any such building or rebuilding, or for the completion of any such building or rebuilding, or for enlarging or in aid of the enlarging or improving any church or chapel in any parish or place, or for the purchase or in aid of the purchasing of any land or ground for any site for any church or chapel, or church or chapel yard or cemetery, or enlarging any site of church or chapel yard or cemetery, or for carrying into execution any other purposes of the said recited acts or this act, for any such period or term as the commissioners shall think fit, upon payment for any such loan or advance of such annual interest, not exceeding five pounds *per cent. per annum*, or without any interest, if under special circumstances they shall think it expedient and fit either for any part or for the whole of the term or period for which such loan or advance shall be made, as the said commissioners shall, under all the circumstances, judge proper; and such loans and advances shall be repaid at such times and in such manner and by such instalments as shall be settled by the commissioners in that behalf, and shall be charged and chargeable upon the church rates of the parishes or places, or upon rates to be made for that purpose, as is provided in the said recited acts in relation to advances authorized by the said recited acts; and the amount of all such advances when repaid, and of all interest paid upon any such advances to the said commissioners, shall be applied to the purposes of the said recited acts and this act, and it shall be lawful for the church or chapel wardens of any such parish or place, and they and each of them are hereby empowered, authorized, and required to declare any such loan or advance, and also every other loan or advance made under the authority of the said recited acts and this act to be applied to any of the purposes thereof, to be chargeable and charged upon the church rates of such parish or place, by any instrument in the form, herein-after mentioned, or in such other form, being as near thereto as the nature of the case will admit or the circumstance shall require:

‘Whereas His Majesty’s commissioners for building new churches, acting under the authority of and in pursuance of the provisions contained in the several acts passed for the building and promoting the building of churches in populous parishes, or, *A. B.* of _____ and *C. D.* of _____ have [recite shortly the loan and circumstance, and terms, *et cetera*;] We therefore, or I, *A. B.* _____ being of the church [or chapel] wardens of [describe them] do, by these presents, charge the said [describe the parish or place] with the said sum of _____ and with the repayment thereof, according to the terms and conditions above stated; and do hereby, in pursuance of the provisions of the said acts, or some or one of them, declare that the said sum of _____ is and shall continue to be chargeable and charged upon the church [or chapel] rates now raised or hereafter to be raised in the said [parish, *et cetera*] until the said sum of _____, together with the interest, is fully repaid, according to the terms and conditions above set forth. Witness, *et cetera.* 3 G. 4. c. 72. s. 5.

7. It shall be lawful for the church or chapel wardens of any parish or place, in which any sum of money is authorized or required to be raised for any of the purposes of the said recited acts or this act, to raise any such sum of money, or any part or proportion thereof, by the grant or grants of any annuity or annuities: provided, that no larger or greater rate of annuity shall be granted or given upon any life or lives for any money advanced than is specified in the tables annexed to 36 G. 3. c. 52. intituled, *An Act for repealing certain duties on legacies and shares of personal estates, and for granting other duties thereon in certain cases*, [See *Stat. Dig. tit. STAMPS*, p. 1448.] 3 G. 4. c. 72. s. 6.

8. It shall be lawful for the said commissioners, and also for any parish or place for which any act or acts of parliament shall have been passed in relation to the building or rebuilding or enlarging any church or chapel, or enlarging or procuring any church or chapel yard or cemetery, to make any grants or loans, or give or grant any other aid or assistance in procuring sites for churches or chapels, or land or ground for such church or chapel yards or cemetery, or any addition thereto, and to use, enforce, and apply all the powers, authorities, claims, regulations, and provisions, in the said several acts and this act contained, for carrying into execution any of the purposes thereof; any thing in any act or acts relating to any such parish or place to the contrary notwithstanding, 3 G. 4. c. 72. s. 7.

9. In every case in which any parish or place shall not have been able, or shall not hereafter be able to procure any land or ground for the building or rebuilding any church or chapel, or enlarging any existing church or chapel, or for the making of any yard to any church or chapel, or for any cemetery, or for enlarging any yard to any church or chapel, or any cemetery, by reason of the inability of any person or body interested in such land or ground, or any part thereof, to convey or make a good title to the same, freed and discharged from all incumbrances; or that any such person or body shall be unwilling to treat for the sale thereof, or cannot agree for such sale and purchase, then and in such

case it shall be lawful for the said commissioners, and they are hereby authorized, if upon consideration of all the circumstances of the case they shall think proper, to take such land or ground for any such purpose as aforesaid, for any such parish or place; and it shall be lawful for the said commissioners in every such case to use, apply, and put in force all such of the powers and authorities of the said recited acts or this act respectively, as may be necessary for the assessing, ascertaining, and paying the value, and taking and giving possession of any such land or ground; and all the powers and authorities in the said recited acts and this act contained, in relation to the assessing or ascertaining, and to the paying the sums assessed on the value of, and to the taking and giving possession of sites for churches to be built under the said recited acts and this act, shall extend and apply to the assessing and ascertaining, and to the paying the sums assessed as the value, and to the taking and giving possession of such land or ground, as fully and effectually to all intents and purposes, as if the same were severally and separately repeated and re-enacted for the purposes aforesaid; any thing in the said recited acts, or either of them, or this act, to the contrary notwithstanding, 3 G. 4. c. 72. s. 8.

10. Whenever any quit, chief, or other rent or rent charge, either for term of years or for life or lives, or in fee, shall be reserved upon or payable out of any lands, tenements, or hereditaments, part of which may be given, sold, or taken under the provisions of the said recited acts or this act, for the purposes thereof respectively, and difficulties may arise as to the apportioning such rents, and exonerating the portions of any such lands, tenements, or hereditaments so given, sold, or taken for any claim in respect of such rents, and as to the effectually charging the remainder of such lands, tenements, or hereditaments with the remainder of such rent, it shall be lawful for the public or corporate body or trustees, or other persons giving or selling any such portion of any such lands, tenements, or hereditaments, or from whom the same may be taken under the provisions of the said recited acts or this act, to apportion any such rent with the consent and concurrence of the said commissioners; and the lands, tenements, and hereditaments used and applied for the purposes of the said acts or this act, shall in every such case be wholly exonerated from any such rents or any part thereof, but the remaining part of such lands, tenements, or hereditaments shall not be thereby discharged from the remaining part of the rent fixed by any such apportionment, and the rent so apportioned shall in every such case be deemed the entire rent upon the remaining part of such lands, tenements, and hereditaments; and all remedies by distress, entry, action, or otherwise, which might have been used and applied for the recovery of the original entire rent, shall be used, enforced and applied for the recovery of the rent fixed by such apportionment, 3 G. 4. c. 72. s. 9.

11. In every case in which any parish or place shall be divided into separate parishes for ecclesiastical purposes, or into separate districts or chapelries, in which select vestries shall be appointed by the commissioners for such parishes under the provisions of the said recited acts, all the members of or persons belonging to the select vestry of the original parish, who shall reside in or belong to the district or division of the original church or chapel of the parish or place, shall continue to act as the vestry of such district or division, and of the church or chapel thereof, in all matters relating to such church or chapel and the repairs thereof (or to any other ecclesiastical matters or things, or in the distribution of any proportion of any bequests, gifts, or charities which may under the provisions of this act be assigned to any such district or division); any thing in the said recited acts or this act to the contrary notwithstanding: provided, that no member of any select vestry of any such parish or place, shall, after any such division as aforesaid, act in relation to any matters or things relating to any church or chapel, or any repairs thereof, or any matters or things relating thereto, or any other ecclesiastical matters or things, except such as are within or belonging or relate to the division in which he shall reside; and if by reason of any such division as aforesaid, a sufficient number of such members of select vestry shall not remain resident in the division of the parish or place within which the original church or chapel of the parish or place shall be situate, according to such proportion as shall be fixed by the commissioners on that behalf, regard being had to the population of such division, and the relative proportion thereof to the population of the whole parish or place, all such deficiencies shall be filled up as deficiencies or vacancies in such parish or place have been heretofore filled up in such parish or place: provided, that no member of any such select vestry, or inhabitant of any such parish or place, shall vote in the supplying such deficiencies, unless resident within the division of the parish or place for which the member or members to supply deficiencies are to be chosen; provided also, such persons so chosen shall not by reason thereof be deemed members of the vestry of any such parish or place for any other purposes than such as relate to the church or chapel, or the ecclesiastical affairs of the division of the parish or place for which they shall be so chosen, or for the distribution of any charitable gifts or bequests therein: provided also, that

all the members of the select vestry of any such parish or place, resident in any other divisions of any such parish or place, shall in every case be members of such vestry or vestries as shall be appointed under the provisions of the said recited acts or this act for the respective divisions of the parish or place in which they shall respectively reside, 3 G.4. c.72. s.10.

12. It shall be lawful for the said commissioners in every case in which they shall be of opinion that it will be expedient to divide, or in which the said commissioners shall have divided any parish or place into two or more distinct and separate parishes, district parishes or chapelries, for ecclesiastical purposes, under the provisions of the said recited acts, to apportion, if the commissioners shall in their discretion think it expedient, among such separate divisions of any such parish or place, so made separate or district parishes or chapelries for ecclesiastical purposes, any charitable bequests or gifts which shall have been made or given to any such parish or place, or the produce thereof; and in any such case, to direct that the distribution of the proportions of such bequests or gifts, or the produce thereof, as shall be so apportioned to any such separate divisions of any such parish, shall be made and distributed by the spiritual person serving the church or chapel of any such separate divisions, or the church or chapelwardens, or select vestry of any such separate divisions, either jointly or severally, as the commissioners may in their discretion (regard being had to the nature of the bequest or gift and the application thereof,) think expedient; and also to apportion among such separate divisions any debts which may have been before the period of such apportionment contracted or charged upon the credit of any church rates in such parish or place, regard being had in all such apportionments to the circumstances of such parish or place, and of the respective divisions thereof so made separate and distinct for ecclesiastical purposes as aforesaid; and all such apportionments shall be registered in the registry of the diocese in which the parish or place shall be locally situate, and duplicates thereof shall be deposited with the churchwardens of each such separate districts as aforesaid, in respect of or in relation to which any such apportionments as aforesaid shall have been made, 3 G.4. c.72. s.11.

13. It shall be lawful for the said commissioners, in every case in which any parish or place shall be divided, under the provisions of the said recited acts, into district parishes or places for ecclesiastical purposes, with distinct district churches for each of such divisions, to order and direct, with the consent of the bishop of the diocese, that all or any proportion of the fees, dues, and emoluments arising and accruing from the publication of banns and celebration of marriages, and from churchings and burials, and the making, opening, or using any catacombs, vaults, or ground for burials, in all or any the several districts and divisions of such parish or extra-parochial place, shall remain with and continue to belong to, and to be received by or for, and on account of, and to the use of, and to be accounted for wholly or in part, as the case may require, to the incumbent of the original church or chapel, any thing in the said recited acts or either of them, or in this act contained to the contrary notwithstanding; and every such order shall be registered in the registry of the diocese, and a duplicate copy thereof deposited and kept in the respective chests of the churches and chapels respectively of such parish or place: provided, that it shall be lawful for the commissioners, with such consent as aforesaid, at any time within five years after the making of any such original order or direction, to annul or in any manner to alter any such order or direction, or the appropriation made thereby; and such new order or direction, or alteration, when made, shall be registered in manner aforesaid, 3 G.4. c.72. s.12.

14. It shall be lawful for the said commissioners, and they are hereby authorized and empowered, to convert any vicarage of any parish or place, or the separate divisions of any vicarage of any parish or place, divided under the said recited acts or this act, into a rectory or rectories instead of a vicarage or vicarages, in any case in which the owner or owners entitled in fee simple to the rectory or tithes, if an impropriate rectory, or the patron entitled in fee simple of a sinecure rectory, and also the incumbent of the sinecure rectory of any such parish or place, if the same shall not be void at the time of any such conversion, and the person or persons (if any) entitled to the absolute interest in any lease granted of the sinecure rectory or glebe or tithes thereof, shall be willing to restore and release and reunite the tithes and glebe, and all other rectorial rights, dues, and emoluments of any such parish or place, or of any such proportion of any such parish or place, as shall be satisfactory to such commissioners, to the incumbent or incumbents of such parish or parishes, or place or places, and his or their successors for ever; and in every such case such surrender, restoration, or release, shall be made in such form and by such instrument as the commissioners shall direct; and the said commissioners shall, by an instrument in writing under their seal, direct such alteration to be made, and conversion of any vicarage or vicarages into a rectory or rectories, from the period specified in such instrument, and upon the conditions as to the transfer, restoration, or reuniting of tithes, glebe, or other rectorial rights, dues, and

emoluments therein mentioned; which instrument shall be registered in the registry of the diocese in which the parish shall be locally situate, and enrolled in the High Court of Chancery; and such parish or parishes, place or places, shall for ever therefrom be deemed and taken to be, to all intents and purposes, a rectory or rectories, without prejudice nevertheless to the rights and interests of any other persons; and the incumbent or incumbents of any such vicarage or vicarages shall thereupon become and be deemed to be the rector or rectors of such parish or parishes, or divided parishes, or place or places, without any new induction or proceeding whatever, and shall be entitled to have and use and exercise all such remedies for the recovery of their tithes, glebe, and all other rectorial rights, dues, and emoluments, as rectors of such parishes, or divided parishes, as fully and effectually to all intents and purposes, as if such parishes had been rectories, and such incumbents respectively had been in due form of law inducted as rectors therein: and it shall be lawful for the said commissioners in every such case, immediately after the passing of this act [22d July 1822.], and before any such transfer and division can be finally arranged, made, and completed, to accept and confirm any such restoration or release and reunion of any such tithes, and accept and record the consents or engagements in relation thereto, of any such impropriator, patron, or sinecure rector and incumbent (if there shall have been any incumbent to consent at the time of such conversion), and tenant or tenants, if any, and to proceed to the completing of any such transfer or division upon such consent, for the purpose of converting any such vicarage into a rectory or rectories; and all such consents shall in any such case be valid and binding upon the heirs and successors, and executors and administrators respectively, of any such impropriator, patron, or sinecure rector and incumbent, tenant or tenants, if any death or changes shall thereafter occur in any such patronage or incumbency, as fully and effectually as if the consent had been given and transfer made by the impropriator, patron, or sinecure rector and incumbent, tenant or tenants, for the time being, when the arrangement and division shall be finally completed; provided, that no incumbent shall in any such case become liable to the maintenance or upholding or repair of more than one house of residence in any such parish or place; and when in any such parish or place there shall be more than one house belonging to the church or chapels thereof, the bishop of the diocese shall decide, order, and declare which shall thereafter be deemed the house of residence, and be upheld and maintained and repaired as such; and the order of the bishop in relation thereto shall be registered in the registry of the diocese, and a duplicate copy of such order deposited and be kept in the chest of the church or chapel of such parish or place, 3 G.4. c.72. s.13.

15. Provided, that in case the said commissioners shall think proper to convert into a rectory or rectories the vicarage of any parish or place, or separate division of a parish or place which shall be divided, or in which a new church shall be erected by virtue of the provisions contained in the said recited acts or this act, and the possessor or possessors of the sinecure rectory of such parish or place for two or more lives, by virtue of a lease granted thereof by a rector with the consent of the patron and ordinary, shall be desirous of retaining any manor or other hereditaments, being the glebe or part of the glebe of the said rectory, and shall be willing to surrender and release all his, her, or their estate and interest in the tithes, and the residue (if any) of the glebe of the said rectory, on condition that such manor and other hereditaments shall be vested in him, her, or them in fee simple, then and in every such case it shall be lawful for the said commissioners, and they are hereby authorized and empowered, if they shall think proper, with the consent of the patron of the said rectory being entitled thereto in fee simple and the incumbent thereof, by any instrument under their seal, and sealed and delivered by the said patron and incumbent (if any) upon the execution by such possessor or possessors of the said rectory, together with the patron and incumbent (if any) thereof, and of the said commissioners, of such instruments as are herein-before mentioned or referred to, for surrendering, releasing, and vesting all the rectorial tithes and glebe (except the manor and other hereditaments to be retained as aforesaid), to release and convey the said manor and other hereditaments to such possessor or possessors, or such other person or persons as he, she, or they shall in that behalf direct, his, her or their heirs and assigns for ever; and such instruments in writing shall be enrolled in the high court of chancery, and upon the execution thereof the manor and other hereditaments comprised therein, with their appurtenances, and the fee simple and inheritance thereof, shall be absolutely vested in the person or persons to whom the same should be thereby released and conveyed, his, her, or their heirs and assigns for ever, but shall be subject to tithes in the same manner as if the same had never been part of the glebe of the said rectory, 3 G.4. c.72. s.14.

16. It shall be lawful for all bodies politic, corporate, or collegiate, corporations aggregate or sole, tenants for life or in tail, husbands, guardians, trustees, and feoffees in trust, committees, executors, and administrators, and all other persons and trustees whomsoever, not

only for or on behalf of themselves, their heirs and successors, but also for and on behalf of cestuique trusts, whether infants, issue unborn, lunatics, idiots, femmes covert, or other person or persons, and to and for all femmes covert who are or shall be possessed of or entitled to, or interested in their own right, and for every other person whomsoever, who shall be possessed of or entitled to, or interested in any right of patronage or of presentation or appointment to any benefice, donative, perpetual curacy, or of any spiritual person to any church or chapel, or the performance of any ecclesiastical duties in any church or chapel, or for the trustees of any endowments or emoluments for the use of any church or chapel, or the incumbent thereof, or spiritual person serving the same, to surrender any such right of patronage, presentation or appointment, endowments or emoluments, or to enter into or make any agreement relating thereto, with the said commissioners and the bishop of the diocese, and to attach any contiguous division of any parish or place, with consent of the patron and incumbent of the parish or place, to any such chapel, for the purpose of better enabling the said commissioners to convert any such church or chapel into the church or parochial chapel or chapel of ease of a district parish or chapelry, and to convert any chapelries or other divisions into districts or separate parishes for ecclesiastical purposes; any thing contained in any act or acts of parliament, or in any deed or deeds, or any trust relating thereto, respectively, to the contrary notwithstanding, 3 G. 4. c. 72. s. 15.

17. It shall be lawful for the said commissioners, and they are hereby empowered, with the consent of the ordinary and the patron and of the incumbent of the parish for the time being, or in case of the refusal of any incumbent, then with the consent of the ordinary upon the next avoidance, to convert any district chapelry made under the provisions of the said recited acts into a separate and distinct parish for ecclesiastical purposes, or into a district parish under the said acts, in any case in which a suitable house of residence, and such maintenance as the said commissioners shall deem competent, can be procured and established for the use of the minister of such separate and distinct or district parish so to be made, and his successors, and in which a compensation shall be provided to the satisfaction of the commissioners and the then incumbent of the parish, for all fees, oblations, offerings, and other ecclesiastical dues which may by such conversion be transferred to the minister of such separate and distinct or district parish so to be made; and every such conversion shall be made under the seal of the said commissioners, and registered in the registry of the diocese in which the parish shall be locally situate, and enrolled in the high court of chancery, and duplicate thereof shall be lodged in the chest of the original parish church, and in the church or chapel of the separate and distinct or district parish, 3 G. 4. c. 72. s. 16.

18. In every case in which marriages are allowed under any of the provisions of the said recited acts, or either of them, to be solemnized in any chapel of a district chapelry, and in which the parties, or either of them, contracting such marriage, shall reside in the district of the chapelry, or in any other district of any chapelry, the banns of marriage shall be published in the chapel or chapels of each of the districts in which such parties respectively reside, and no publication of such banns in any other church or chapel shall be legal, valid, or effectual for the purposes of such marriage; any thing in the said recited acts or either of them, or any other act contained to the contrary notwithstanding, 3 G. 4. c. 72. s. 17.

19. All acts of parliament, laws, and customs relating to publishing banns of marriage, and to marriages, christenings, churchings, and burials, and the registering thereof, and to all ecclesiastical fees, oblations, or offerings, shall apply to all extra-parochial places, and to all divisions and districts of any extra-parochial places in and for which any churches or chapels shall be built or appropriated, under the provisions of the said recited acts or this act, and to the churches and chapels thereof, and to the ecclesiastical persons having the cure of souls therein, or serving the same, in like manner, in every respect, as if the same respectively had been ancient, separate, and distinct parishes and parish churches by law, 3 G. 4. c. 72. s. 18.

20. When and so soon as banns of marriage may be published, and marriage celebrated and solemnized, in any church or chapel under the provisions of the said recited acts or this act, the bishop of the diocese within which such church or chapel shall be locally situate, whether in any parish or extra-parochial place or otherwise, shall certify the same, and such certificate shall be kept in the chest of the church or chapel with the books of registry thereof, and a copy thereof shall be entered in the books of registry of banns and marriages, and a duplicate of such certificate shall be registered in the registry of the diocese, and such certificate shall be deemed and taken to be conclusive evidence in all courts, and in all questions relating to any banns published or marriages celebrated or solemnized in any such church or chapel, that the same might, according to law, respectively be published and celebrated and solemnized in such church or chapel; and that all banns published, and marriages celebrated, solemnized, and had in any such church or

chapel, according to the laws and canons in force within this realm in that behalf, shall, after the granting of such certificate, be good, valid, legal, and effectual: provided, that no banns or marriages respectively published, celebrated, solemnized, or had according to the laws and canons in force within the realm in that behalf, in any church or chapel in which the same are authorized to be respectively published, celebrated, solemnized, and had by the said recited acts or this act, or either of them, shall be or be deemed or taken to be invalid or illegal, or void or voidable, by reason of any such certificate not having been duly given, or registered or entered as herein-before required, 3 G. 4. c. 72. s. 19.

21. And whereas doubts may arise as to the repairs of churches or chapels acquired and appropriated, or built or enlarged or improved in aid of the churches of parishes or places, under the provisions of the said recited acts or this act; for remedy and prevention thereof, be it enacted, that all chapels acquired and appropriated, or built or enlarged and improved under any of the provisions of the said recited acts, or under any local acts, in cases in which no provision is made relating thereto in such local acts, in aid of the churches of the parishes or places in which they shall be situated (whether any districts of any such parishes shall have been assigned or not to such chapels as belonging thereto for ecclesiastical purposes), shall be repaired by the respective parishes or places at large to which such chapels shall belong, and rates shall be raised, levied, and collected for that purpose in like manner in every respect as for the repair of the churches of such parishes and places, and all the laws in force for making, raising, levying, and collecting rates for the repair of churches, shall be applied and put in force for the raising, making, levying, and collecting such rates for the repair of such chapels, as fully and effectually as if the same were severally, and specially re-enacted in this act for that purpose, as to the repairs of such chapels; any thing in the said recited acts, or any other act to the contrary notwithstanding, 3 G. 4. c. 72. s. 20.

22. It shall be lawful for the said commissioners, and they are hereby authorized and empowered, in any case in which any division of any parish already divided, or which may hereafter be divided under the provisions of the said recited acts or this act, shall be again divided, and on which any church or chapel shall be built or acquired and appropriated, for the use of any such new division, by any instrument under the seal of the said commissioners, to declare that all liability to any repairs of the church or chapel of the division from which such new division shall be so made as aforesaid, shall cease from the period specified in any such instrument; and thereupon, from and after such period, the new division in which any such church or chapel shall be built, acquired, and appropriated, shall be liable only to the repairs of such church or chapel, and to the repairs, for whatever periods shall remain of the twenty years under the said recited act, of the church of the original parish; any thing in the said recited acts to the contrary notwithstanding, 3 G. 4. c. 72. s. 21.

23. It shall be lawful for the said commissioners, with the consent of the bishop and patron entitled in fee-simple, in cases where the said commissioners may not deem it expedient to divide any parish for ecclesiastical purposes, or create separate districts for ecclesiastical purposes therein, either to make a permanent rent charge on or to apportion any portion not exceeding a moiety of the glebe lands, tithes, moduses, or other emoluments, for the benefit of the incumbent of or person serving any such chapel or chapels in any such parish, as in their discretion they may think expedient: provided, that the presentation of every such endowed chapel shall be vested in the patron of the church to which such chapel or chapels may appertain, 3 G. 4. c. 72. s. 22.

24. It shall be lawful for the said commissioners to transfer any rights to any pews, with the consent of the owners thereof, in any existing church or chapel, belonging to any person residing in any division of any parish or place in which any new church or chapel shall have been or shall be built, acquired, or appropriated under the provisions of the said recited acts, to the church or chapel of the division in which any such persons shall reside, for the purpose of enabling the said commissioners to make or increase the number of free seats in the church or chapel from which such rights shall be transferred; and the persons from whom any pews shall be so taken for such purpose as aforesaid, and to whom any pews in lieu of their former pews shall be assigned by the said commissioners in any other church or chapel, shall have, hold, and enjoy the same respective rights and titles to the pews so assigned, as they respectively had, held, and enjoyed in their former pews, or such right and title as shall be directed and set forth in such assignment in lieu thereof, without any faculty, instrument, or other process than such assignment as aforesaid; and every such assignment shall be registered in the registry of the diocese in which the church or chapel shall be, and a duplicate thereof deposited in the chest of the church or chapel in which any such pew shall be so assigned as aforesaid: provided, that no larger or greater or other right shall be given to any pew in any new church or chapel, upon any such transfer, than

belonged to the owner, proprietor, or occupier of the pews in the existing church or chapel, in the pews in respect of which any such transfer shall be made, 3 G. 4. c. 72. s. 23.

25. In every case in which rents shall have been fixed upon the pews in any church or chapel under the provision of the said recited acts for the purposes therein specified, notice shall be given for six successive weeks at the end of each year of all the pews which are vacant or which will become vacant at the commencement of the next year, by affixing the same in writing upon the doors of the church or chapel and vestry room thereof respectively; and all such pews as shall not be taken at the rent respectively fixed thereon within fourteen days after the commencement of the ensuing year, shall in every such case be let to any inhabitant of any adjoining parishes or places in which there shall not be sufficient accommodation in the churches and chapels of the parish or place for the inhabitants thereof, at the rent respectively so affixed upon such pews, for any term not exceeding the end of the year; and at the expiration of the year, and also of every succeeding year in which any such pews shall be rented by inhabitants of any adjoining parishes, such pews shall be inserted in the list of vacant pews, to be taken in preference by the inhabitants of the parish or place to which the church or chapel shall belong; and all such pews as may not be so taken by any inhabitant of the parish or place, may again be let, and so on from year to year, to any inhabitants of any adjoining parish or place; any thing in the said recited acts to the contrary notwithstanding, 3 G. 4. c. 72. s. 24.

26. Provided, that in case any inhabitant to whom any lease or demise of any pew, seat, or sitting in church or chapel, of the parish or place, or division or district of which he shall be an inhabitant, shall be granted for any longer term than one year, shall cease to be an inhabitant of the said parish, place, division, or district, or shall discontinue his or her attendance at the church or chapel for the space of any one year, then and in such case his lease, demise, term, estate, and interest in such pew, seat, or sitting respectively, shall, at the end or expiration of the then current year of the said term or period, cease and determine, and such pew, seat, or sitting shall be again let in like manner as herein-before mentioned, 3 G. 4. c. 72. s. 25.

27. It shall be lawful for the said commissioners to authorize and empower any parish, chapelry, township, or extra-parochial place, which shall be desirous of procuring a burial ground, or adding to any existing church or chapel yard or cemetery, to procure and purchase any such land or ground as may in the opinion of the commissioners be sufficient and properly situated for a church or chapel yard or burial ground, or as an addition to any existing church or chapel yard or cemetery (whether such land or ground shall be situated within the parish or place for the use of which the same shall be intended), and to make, raise, levy, and collect rates for purchase thereof, or for the repayment with interest of any money borrowed for the making such purchase, at such times and in such proportions as shall be agreed upon with the person or persons advancing any such money and approved of by the said commissioners; and the churchwardens or chapelwardens or persons authorized under the said recited acts to make rates for any of the purposes of the said recited acts, of any such parish, chapelry, township, or extra-parochial place, may and shall in every such case use and exercise all the powers and authorities in the said recited acts for the purpose of making and completing such purchases, and also all the powers and authorities in the said recited acts specified, as to making, raising, and levying any rates for any of the purposes of the said recited acts; and when any such land or ground so purchased shall be situate out of the bounds of the parish or place for which the same is intended, the same shall after consecration become and be deemed part of such parish or place; any thing in any act, law, or custom to the contrary notwithstanding, 3 G. 4. c. 72. s. 26.

28. Whereas provision is made in the 59 G. 3. c. 134. s. 21. [Stat Dig. this title, pl. 93.] for authorizing the remitting and allowing of duties of customs and excise upon materials used in the building of churches or chapels under the provisions of the said recited acts; and doubts may arise as to the allowing or remitting of such duties in cases of rebuilding, or enlarging or increasing the accommodation of churches and chapels; for remedy and prevention thereof, be it further enacted, That it shall be lawful for the commissioners of customs and excise of England, Ireland, and Scotland respectively, with the consent and under the authority in writing of the lord high treasurer of the United Kingdom of G. B. and Ire., or of any three or more of the commissioners of H. M.'s treasury for the time being respectively, to remit all or any proportion of the duties of customs or excise respectively, or to order the same to be drawn back or repaid, for, upon, or in respect of any stone, slate, bricks, timber, or other materials which shall have been or shall be *bonâ fide* procured for, and have been or shall be used in the rebuilding, or enlarging or increasing the accommodation of any churches or chapels under the provisions of the said recited acts or this act, or which have been built, or enlarged or increased with the approbation

of the commissioners (and which approbation may be at any time certified under their seal); and such duties shall, in every such case, be remitted, drawn back, or repaid, as the case may be, under such rules, regulations, and restrictions, and in such manner as shall be ordered and directed by the lord high treasurer, or any three or more of the commissioners of H. M.'s treasury in that behalf, 3 G. 4. c. 72. s. 27.

29. Whereas by the 59 G. 3. c. 134. s. 35. [Stat. Dig. tit. CHURCHES, pl. 157.] the commissioners for stamps are authorized to allow the full amount of stamp duties upon instruments made in relation to the said recited acts; and it is expedient to make other provisions in relation to such stamp duties; be it therefore enacted, That no deed of gift, or grant, security, contract, agreement, deed, or conveyance, or other instrument, made for any of the purposes in the said recited acts mentioned, or for any other of the purposes or under any of the provisions in the said recited acts or either of them, or of this act, or for the carrying into execution any of the powers, authorities, regulations, purposes, or provisions thereof, or therein mentioned respectively, shall be subject to any of the duties upon stamped vellum, parchment, or paper, 3 G. 4. c. 72. s. 28.

30. From and after the expiration of five years after the transfer or conveyance of any messuages, lands, grounds, tenements, or hereditaments, to the said commissioners, or to any person or persons for the use of any parish or place, as a site for any church or chapel, or any church or chapel yard or cemetery, whether such transfer or conveyance shall have been by gift or grant, or upon or in pursuance of any sale or purchase under the provisions of the said recited acts or this act, although no church or chapel shall have been before the expiration of the said five years erected or built and consecrated upon such site, the said messuages, lands, grounds, tenements, or hereditaments shall become, and be and remain absolutely vested in such commissioners, or the person or persons to whom the same was conveyed, for the purposes of the said acts and this act, free from all demands or claims of any body politic or corporate, or person whatever, and without being thereafter subject to any question as to any right, title, or claim thereto, or in any manner affecting the same, 3 G. 4. c. 72. s. 29.

31. It shall be lawful for the said commissioners, and they are hereby empowered, by any instrument under seal, with the consent of the ordinary and of the patron and incumbent of any parish or place in which any new church or chapel shall have been built, or shall be built, acquired, or appropriated for the use of such parish or place, instead of the old church or chapel of such parish or place under the said recited acts or this act, to authorize and direct the transfer of the endowments, emoluments, or rights of or belonging to the old or existing church or chapel of such parish or place, or to the minister for the time being thereof, to any such new church or chapel so built, acquired, or appropriated in such parish or place, and to the minister thereof for the time being and his successors; and it shall be lawful in every such case for any trustees of any chapel, or of any rights, emoluments, or endowments of or belonging to any church or chapel, or to the incumbent of any church or chapel for the time, and they are hereby required, to transfer all such rights, emoluments, and endowments according to the direction of the said commissioners as aforesaid: provided, that in every such case the inhabitants of the parish or place in which such new church or chapel shall be built, shall raise and pay to the said commissioners towards the expences of such new church or chapel, either by subscription or rate, such sum at the least as would have been necessary for the repair of the old church or chapel, in case such new church or chapel had not been built, and such further sum as the inhabitants of such parish or place would have been liable to raise in such parish or place, for any purposes relating to the effectual and sufficient reparation of and maintaining such old church or chapel, or the cemetery thereof, or any other expence incident thereto, or to which such parish or place would have been liable in respect thereof, in case such new church or chapel had not been built; and immediately from and after any such transfer as aforesaid, all tithes or tenths, moduses or other compositions for tithes or tenths, and all emoluments, dues, fees, offerings, oblations, obventions, and other profits and advantages, and all messuages, glebe and other lands, tenements, or hereditaments, rents, sums of money, or real or personal chattels whatsoever, and all rights and privileges wheresoever, and of what nature or kind soever, wherewith any such old or existing church or chapel then is, or at any time theretofore had or ought to have been, or at the time of such substitution of such new church or chapel for any such old or existing church or chapel, may be endowed, or to which the minister thereof then is, or at any time theretofore was or ought to be entitled, with all the respective rights, privileges, members, easements, and appurtenances thereto belonging, or in anywise appertaining, or to or with the same, or any part thereof, had, held, used or enjoyed, or accepted, reputed, deemed, taken, or known as part, parcel, or member thereof, or as belonging to such minister; and the same, together with all reversion and reversions, remainder and remainders, yearly and other rents, issues,

estates, rights, interests, dividends, emoluments and profits of all and singular any such messuages, lands, hereditaments, rents, or sums of money, shall severally and respectively become and be vested in the parson or minister for the time being of the new church or chapel, and his successors for ever, in as full and ample a manner as the parson or minister of the old or existing church or chapel might or could have had, received, and enjoyed the same, in case such substitution or transfer had not been made and passed; and every such substitution and transfer shall be registered in the registry of the diocese within which the place shall be locally situate, and enrolled in the high court of chancery; and all acts of parliament, laws, and customs relating to the publishing of banns of marriage, and celebration of marriages, christenings, churchings and burials, and the respective registering thereof, and to all ecclesiastical fees, oblations and offerings, shall apply to every such new church, in like manner in any respect as to the old church of the parish or place, 3 G. 4. c. 72. s. 30.

32. In every case in which the commissioners shall build, or grant any sum of money in aid of the building of any new church or chapel, in any parish or place in which the patronage of or nomination or appointment of the ecclesiastical person to serve such church or chapel shall not belong to H. M., or to any body politic or corporate or collegiate, or any corporation sole or aggregate, or to any trustees, commissioners, directors, or other persons having the charge, care, or management of any public or charitable institution, or to any trustees of any church or chapel, or to any private person, it shall be lawful for the said commissioners, by any instrument under seal, to declare that such patronage, nomination, or appointment shall, either for ever, or for such time and in such manner as the said commissioners shall direct, go to or be exercised by the bishop of the diocese within whose jurisdiction as diocesan such parish or place shall be, or if exempt from such jurisdiction, then by the bishop of the diocese in which such parish or place shall be locally situate; any thing contained in any act of parliament, or law or usage or custom to the contrary notwithstanding, 3 G. 4. c. 72. s. 31.

33. Whereas doubts have arisen whether the commissioners are empowered to exercise and enforce certain of the provisions of the said recited acts and this act, in aid of the parishes and places in certain cases not within the limitations of the said recited acts, with respect to the population or extent of such parishes or places, or which may not come within any of the regulations of the said recited acts or this act, in respect of any advances or loans in aid of such parishes, or in which parishes or places cannot comply with the regulations and restrictions contained in the said recited acts or this act; be it therefore enacted, That it shall be lawful for the said commissioners, in any case in which they shall, under the special circumstances of any parish or place which shall not be within any of the provisions of the said recited acts or this act, deem it expedient, and they are hereby authorized and empowered to exercise all or any of the provisions of the said recited acts or this act, relating to the procuring or taking of any land or ground, for the purpose of procuring, or of aiding in the procuring, for any such parish or place, any land or ground for any of the purposes of the said recited acts or this act, or for the purpose of carrying into execution any of the provisions of the said recited acts or this act with respect to the division or consolidation of any parish or district: provided, nevertheless, that the commissioners shall in every such case enter in their proceedings the nature of the special grounds and circumstances, under which they shall deem it expedient so to act, 3 G. 4. c. 72. s. 32.

34. Whereas doubts have arisen as to grants made by the said commissioners, in cases in which trusts have been created by acts of parliament or otherwise, in relation to the churches or chapels for which such grants have been or may be made, and whether the making such grants may, under the said recited acts and this act, interfere with such trusts; for remedy and prevention whereof, be it therefore enacted, That it shall be lawful for the said commissioners to make any grant or grants in relation, or confirm any grant or grants heretofore made for any church or chapel in relation to which any trusts have been created by any act of parliament, or any deed or instrument of consecration, which may not in all respects concur with the said recited acts or this act, and to declare at the time of making or confirming any such grant, that any such trusts shall notwithstanding remain and continue in full force: provided, that the commissioners shall, in any such case, enter in their proceedings the special grounds upon which every such grant has been made and confirmed; and in every such case such trusts shall remain and continue in full force; any thing in the said recited acts or this act, or in the said trusts and regulations to the contrary notwithstanding, 3 G. 4. c. 72. s. 33.

35. In every case in which any grant shall have been or shall be made of any land or ground, for any of the purposes of the said recited acts or this act, as a gift, or without any pecuniary consideration being paid for the same, and in which the commissioners shall determine not to apply such land or ground to any of the purposes of the said recited

acts or this act, it shall be lawful for the said commissioners and they are hereby empowered, to exchange any such land or ground for any other land or ground which may, in the judgment of the said commissioners, be more eligible for the purpose for which the same was given; or with the consent of the grantor or grantors thereof, or their heirs or successors, to apply such land or ground to any other ecclesiastical purposes, either as glebe or otherwise, for the use of the incumbent of the parish or place, or for the purpose of any parochial or charitable school, or any other charitable or public purpose relating to any such parish or place; or to re-convey, without requiring, taking, or receiving any pecuniary consideration for such reconveyance, any such land or ground, or any part thereof, in case only a part of any such land or ground shall have been applied to the purposes of the said recited acts or this act, to the grantor or grantors thereof, or their heirs or successors, 3 G. 4. c. 72. s. 34.

36. Provided, that nothing in this act contained shall extend to repeal or alter, vary or affect, any powers, authorities, clauses or provisions contained in any act passed in the last session of parliament, or which may be passed in this present session, relating to any particular parish or place, or to authorize or empower the commissioners under the said recited acts or this act, to make or enforce any order, direction, or regulation under the said recited acts or this act, so as to alter or affect any such powers or authorities as aforesaid, or otherwise, contrary to any clause or provision contained in any such act of parliament relating to any particular parish or place; and that all the powers, authorities, clauses, regulations, and provisions in such local acts contained, shall remain in full force, and be used, enforced, and applied in the same manner and by the same persons, as if this act had not passed, 3 G. 4. c. 72. s. 35.

37. Provided, that neither this act nor the said recited acts, nor any thing therein or herein contained, nor any act, matter, or thing done by or under the authority of the same, or of the commissioners under the said recited acts or this act, shall extend to invalidate or avoid any ecclesiastical law or constitution of the church of *England*, or to destroy any of the rights or powers belonging to any bishop, of any diocese, or any archdeacon, chancellor, or official, 3 G. 4. c. 72. s. 36.

38. Every bishop of any diocese, and every archdeacon, chancellor, and official respectively, may at all times hereafter visit, institute, and exercise ecclesiastical jurisdiction in all the parishes to be erected or divided by virtue or in pursuance of this act, and in every division or district into which any parish may be divided under the said recited acts or this act, and in relation to every church and chapel within the same, as amply as they or any of them may do now therein, and in such manner as in any other parishes or places within his or their dioceses or jurisdictions respectively, 3 G. 4. c. 72. s. 37.

39. Whereas the 58 G. 3. c. 45. and 59 G. 3. c. 134. and 3 G. 4. c. 72., intituled, *An Act to amend and render more effectual two acts, passed in the fifty-eighth and fifty-ninth years of his late majesty, for building and promoting the building of additional churches in populous parishes*: and whereas the sums issued and applied under the said acts have been found inadequate; and it is therefore expedient that a further sum should be issued for the purposes of the said acts, and that further and additional provisions should be made for rendering the said recited acts more effectual: be it enacted, That it shall be lawful for the king's most excellent majesty, by warrant or warrants under his royal sign manual, to authorize and empower the commissioners of H. M.'s treasury of the U. K. of G. B. and Ire., to cause or direct any number of exchequer bills to be made out at H. M.'s exchequer at *Westminster*, not exceeding in the whole the sum of five hundred thousand pounds, in the same or like manner, form, and order, and according to the same or like rules and directions (except where other directions for making out the same are contained and particularly expressed in the said recited acts or either of them, or this act), as in and by 48 G. 3. c. 1., intituled *An Act for regulating the issuing and paying off of exchequer bills*, are enacted and prescribed, 5 G. 4. c. 103. s. 1.

40. All and every the clauses, powers, authorities, provisions, regulations, privileges, advantages, penalties, and forfeitures contained in the 48 G. 3. c. 1., 58 G. 3. c. 45., and 59 G. 3. c. 134., shall be applied and extended to the exchequer bills to be made out in pursuance of this act (except so far as the same or any of them may be altered by this act), as fully and effectually as if the said clauses, &c. had been particularly repeated and re-enacted in this act, 5 G. 4. c. 103. s. 2.

41. Provided, that the exchequer bills to be made out in pursuance of this act shall bear such interest as may be directed by the treasury, not exceeding the rate of two-pence *per centum per diem* upon or in respect of the whole of the monies respectively contained therein; and that all such bills as shall be advanced for the purposes of carrying the said acts or this act into execution, shall be made payable at such periods, and together with the interest that shall be due thereon shall be paid off and discharged out of such aids and supplies granted by parliament for the service of any year, as in each and every exchequer bill

so made forth shall be particularly specified and expressed, pursuant to such directions as shall be given in that behalf to the auditor of the receipt of exchequer, by warrant or warrants from the treasury, 5 G. 4. c.103. s.3.

42. From time to time, as the commissioners appointed for the execution of the said recited acts shall find it necessary to apply to the purposes thereof and of this act any amount of such bills to be advanced under the provisions of the said recited acts or of this act, the said commissioners shall forthwith represent the same to the treasury, and the said commissioners, or any three or more of them for the time being, shall thereupon, if satisfied of such necessity, direct the said commissioners to issue a certificate, to be signed by any three or more of them, to such person or persons as may be authorized to receive the same, containing the amount so by the said commissioners intended to be advanced by exchequer bills; which certificate shall and may be presented to the auditor at the receipt of exchequer at *Westminster*, and the said auditor shall, immediately upon the receipt of such certificate, deliver to the bearer thereof a like amount in exchequer bills, to be made out in pursuance of the said recited act or of this act, and payable at such period as shall in such exchequer bills be specified and expressed; provided that the total amount so to be issued by virtue of such certificates shall not at any time exceed the amount directed to be advanced under the provisions of this act; and every such exchequer bill shall bear date on the day on which such certificate shall be so received by the said auditor, or on such other day as in such certificate shall be specified, any thing in the said recited acts to the contrary notwithstanding; and all such exchequer bills so to be delivered shall and may be signed by the said auditor, or in his name by any person duly authorized to sign exchequer bills, 5 G. 4. c.103. s.4.

43. And whereas in many parishes and extra-parochial places in which the churches and chapels are inadequate to the accommodation of one-fourth of the parishioners, and to which sums may not be granted under the provisions of this or any other former act for building additional churches or chapels, or in which the additional churches or chapels for which sums may have been or may be granted may not afford accommodation for one-fourth of the inhabitants of such parish, chapelry, township, or extra-parochial place, there may be persons belonging to the church of *England* who may be desirous of building or purchasing churches or chapels for the performance of divine service according to the rites of the church of *England*: and whereas it is highly desirable that every facility should be afforded for the execution of so laudable a purpose; be it therefore enacted, That whenever any twelve or more substantial householders of any parish, township, or extra-parochial place, shall certify in writing to the bishop of the diocese within which such parish, chapelry, township, or extra-parochial place shall be situate, that there is not accommodation for more than one-fourth of the inhabitants thereof for the attendance upon divine service according to the rites of the church of *England*, and that they or some of them, either by themselves or with the assistance of other persons belonging to the church of *England*, are desirous of raising by private subscription such sum as may be necessary for building or purchasing a church or chapel, or any building or buildings to be used as a church or chapel for the performance of the said service, and to provide out of pew rents of such church or chapel a competent stipend for the spiritual person who may officiate therein, and for a clerk thereof, and for all other expences incident to the performance of divine service, and for maintaining the said church or chapel, and the said bishop shall be satisfied of the several particulars contained in such application, it shall be lawful for such bishop, if he shall think fit, to signify his consent to the building or purchasing such church or chapel, as the case may be, according to such plan, and upon such site as shall be submitted to and approved by him for that purpose, 5 G. 4. c.103. s.5.

44. The several and respective persons proposing to build or purchase any such church or chapel, or any such building as aforesaid, and their assigns, respectively subscribing for that purpose sums of not less than fifty pounds each, shall elect three trustees from amongst themselves, for the management and general regulations of the temporal affairs of such church and chapel, and for the nomination to the bishop, for a limited period, of a spiritual person to serve the same; and such trustees shall be called life trustees of such church or chapel, and shall continue such trustees so long as any spiritual person nominated by them under the provisions of this act shall serve such church or chapel, 5 G. 4. c.103. s.6.

45. In case any of the persons first appointed life trustees of any such church or chapel, shall during the period above mentioned happen to die, or shall signify to the other life trustees his resignation of such trust, it shall be lawful for the majority of the persons who have subscribed towards the building or purchasing such church or chapel sums not less than fifty pounds each, and being owners or renters of pews in the same, who shall be present at any meeting to be called for that purpose, and which meeting any one or more of such trustees are hereby

authorized and required to call and appoint, upon fourteen days' notice at the least being affixed to the door of such church or chapel, upon the two *Sundays* next preceding the day on which such meeting is intended to be held, from time to time to nominate and appoint, by writing under their hands, any other person having subscribed a sum not less than fifty pounds, and being an owner or renter of a pew in such church or chapel, and a member of the church of *England*, a life trustee in the place of the life trustee so dying or resigning; and every such new life trustee shall in every respect be vested with such and the like powers and authorities, to all intents and purposes, as the person to whose place he may be nominated and appointed as aforesaid, 5 G. 4. c.103. s.7.

46. If the number of persons subscribing to build or purchase such church or chapel shall not exceed three, such person or persons shall be and be deemed to be the life trustee or life trustees of such church or chapel, under the provisions of this act, and shall have, use, and exercise all such and the like powers and authorities to all intents and purposes, as any such life trustees as aforesaid, chosen under the provisions of this act, may use and exercise; and in case of the death or resignation of any such life trustee, the person nominated by him, being a member of the church of *England*, by his last will and testament, or by any instrument signed by him, shall be a life trustee in his place, 5 G. 4. c.103. s.8.

47. That in any case in which application shall be made to the bishop of any diocese for his consent to the building or purchasing any church or chapel, or buildings to be used as a church or chapel, in any parish, chapelry, township, or extra-parochial place, situate within the said diocese, for the purpose aforesaid, by any person or persons belonging to the church of *England*, who may be willing to subscribe one-half part at the least of the money necessary for building or purchasing the same, jointly with the parishioners of such place, who may be willing to raise the remainder of the money by rates, or to raise and borrow such sum upon the credit of the rates of such place, and the said bishop shall be satisfied of the several particulars contained in such application, it shall be lawful for such bishop, if he shall think fit, to signify his consent thereunto, 5 G. 4. c.103. s.9.

48. Provided, that every application which shall be made under the provisions of this act to the bishop of any diocese, shall state that the church or chapel is to be appropriated to the performance of divine service according to the rites of the church of *England*, and shall offer to set apart such number or proportion of free seats as is required by the said recited acts in cases in which churches or chapels are built or purchased under the provisions of the said recited acts, with any money advanced by the commissioners under the said recited acts, and shall also offer to provide out of the pew rents arising from the remaining part of the seats of such church or chapel, a competent salary for the spiritual person who may officiate therein, and for all other expences incident to the performance of such divine service, and for maintaining the said church or chapel: provided also, that no pew rents shall be taken, nor any service performed in such church or chapel, whether built or purchased by subscription only, or jointly by subscription and by rates, before the same shall have been duly consecrated, and a duplicate copy of such application, with the assent of the bishop of the diocese to the same, shall be deposited in such church or chapel, 5 G. 4. c.103. s.10.

49. The persons or parishioners of any parish or place as aforesaid, making such application to the bishop, shall in every such case, at the time of making the same, give notice in writing thereof to the patron and incumbent of the church of the parish, chapelry, township, or extra-parochial place, in which it is proposed to build or purchase any such church or chapel, in order to afford to such patron or incumbent the opportunity of laying before the bishop any statement in writing relating thereto, and that the said bishop shall not signify his consent to such application within three calendar months from the time when he shall have received the same, together with a certificate that the said notice has been given, 5 G. 4. c.103. s.11.

50. The life trustee or trustees of any such church or chapel which shall be built or purchased by private subscription, may nominate for the first two turns which shall occur after the consecration of the church or chapel, or for any number of turns which may occur during the space of forty years after the same, to the bishop of the diocese, for his approbation and licence, a spiritual person to serve the same; and all subsequent nomination shall be in the incumbent of the parish or extra-parochial place in which such church or chapel shall be built or purchased; unless in case of such chapel being made a district church as herein-after mentioned, in which case such subsequent nomination shall be in the patron of the church of the original parish; and in case of any neglect of any trustee or trustees, patron or incumbent respectively, to make such nomination, the same shall lapse, as in the case of actual benefices; and if all the subscribers entitled to elect trustees shall die before such nominations shall have been made, or such forty

years shall have elapsed as aforesaid, then and in every such case the nomination shall be made by the incumbent during such period: provided also, that if all such subscribers shall die, so that no such election of any trustee can be made, and any one of the trustees for the time shall die or vacate, then and in every such case the incumbent for the time being shall be and become a trustee, to use and exercise all powers and authorities given to trustees under the provisions of this act, 5 G. 4. c. 103. s. 12.

51. Provided, in any case in which any such church or chapel shall be built or purchased in part by means of any rates to be raised in any parish, chapelry, township, or extra-parochial place, the first and subsequent nominations of the minister of such church or chapel shall be in the incumbent of the church of the original parish in which the same shall be built or purchased, except in case of such church or chapel being made a district church, when the same shall vest in the patron as aforesaid, 5 G. 4. c. 103. s. 13.

52. From and after the completion of every such church or chapel, the land, ground, and site whereon the same shall be built, with the cemetery thereto belonging, if any, and which land, ground, and site shall be specified and described in the sentence of consecration of the church or chapel, shall be and the same are hereby declared to be vested in such person or persons and their successors for ever, by such name and style as shall be specified in the sentence of consecration of the church or chapel; and such person or persons shall in every such case have perpetual succession in the name and style specified in the sentence of consecration, and shall hold the lands, grounds, and sites so vested in them as bodies corporate, by such name and style, without incurring or being subjected to any of the penalties or forfeitures of the statute of mortmain, or of any other law or statute whatsoever, to the use, intent, and purpose that every such church or chapel, with the cemetery to the same, if any, shall, when consecrated, be for ever thereafter set apart and dedicated to the service of Almighty God, as a place of divine worship, according to the liturgy and usages of the united church of *England and Ireland* as by law established, and be subject to the bishop of the diocese as such, 5 G. 4. c. 103. s. 14.

53. It shall be lawful for the life trustees or churchwardens respectively of any such church or chapel, and their successors, and they are hereby authorized and empowered to sell and dispose of the vaults or burial places under any such church or chapel, and of vaults or burial grounds in the cemetery or yard of the church or chapel, if there shall be any cemetery or burial ground thereto; and such life trustees or churchwardens respectively are hereby empowered and required to pay to the incumbent of the parish such dues or sums as such incumbent would be entitled to and have, of vaults or burial places of a like description in the church of the parish, and shall, after making such payments, invest or lay out the remainder of the monies thence arising in some public funds, stocks, or securities, from time to time, and also from time to time in like manner to lay out the interest, dividends or proceeds of such public funds, stocks, or securities, or such part thereof as shall not be applied under the provisions of this act, in like funds, stocks, or public securities; and such life trustees or churchwardens shall, out of such interest, dividends, or proceeds, from time to time make good any deficiencies, if any shall arise, in the payment of the stipends or salaries of the minister or clerk of the church or chapel, or any other payments or incidental expences to be paid from the produce of the rents of pews or seats, by reason of the rents of pews not being adequate to the payment of such stipends, salaries, or expences; and in the next place shall apply such interest, dividends, and proceeds in the maintaining, supporting, and repairing the church or chapel: provided always, that if by reason of any such funds, or if the produce of pew rents being more than sufficient for all the purposes to which the same are made applicable under the provisions of this act, there shall be a surplus of annual income, then and in any such case such surplus shall be applied in subsequent years to the purposes to which pew rents are applicable; and the pew rents shall in every such case be reduced rateably and in equal proportions, or a larger number of free seats shall be opened, as the bishop of the diocese shall order and direct, 5 G. 4. c. 103. s. 15.

54. It shall be lawful for the said commissioners, with consent of a majority of the subscribers entitled to elect the trustees of any such church or chapel, and of the bishop, and of the patron and incumbent, to make any such church or chapel a district church or chapel, under the provisions of the said recited acts and this act, 5 G. 4. c. 103. s. 16.

55. At the expiration of the forty years all such churches and chapels shall become in all respects district churches, without any consent being obtained for that purpose, if H. M. in council shall have made a division of the parish or extra-parochial place for that purpose, in manner directed by the said recited acts, or shall remain parochial chapels if no such division and appropriation of any such churches or chapels to a district shall have been made, 5 G. 4. c. 103. s. 17.

56. All the powers, authorities, provisions, regulations, clauses, penalties, and forfeitures in the said recited acts, or any or either of them contained, for the securing, recovering, and paying the salaries of spiritual persons, and for the recovery of pew rents, and all regulations as to the number

or proportions of free seats in churches or chapels built or purchased wholly or in part with money advanced by the commissioners under the provisions of the said recited acts, shall extend and be in full force, and be applied in all cases of any such churches or chapels as aforesaid, being built or purchased by subscription or by rates, under the provisions of this act, as fully and effectually, as if the same were severally and separately re-enacted and repeated in this act, 5 G. 4. c. 103. s. 18.

57. And whereas doubts are entertained whether, since the duchy of *Cornwall* became vested in H. M., any lands, grounds, tenements, or hereditaments, parcel of the said duchy, can be granted, conveyed, or enfranchised under the provisions of the said acts for the purposes thereof: and whereas 3 G. 4. c. 78. intituled, *An Act to enable H. M. to make leases, copies, and grants of offices, lands, and hereditaments, parcel of the duchy of Cornwall, or annexed to the same*; be it therefore enacted; That it shall be lawful for any three or more of the regular officers of the said duchy, who by virtue of their several offices are concerned in the general superintendence and management of the revenue and affairs of the said duchy, and duly authorized by H. M., under the provisions of the said last recited act, by any deed or instrument under their hands and seals in the form prescribed by the 3 G. 4. c. 78. or as near thereto as circumstances will permit, to grant, convey, or enfranchise lands, grounds, tenements, or hereditaments for any such purposes of the said recited acts, or any or either of them, as are in the said acts or any or either of them specified, in relation to grants to be made by public departments under the said acts, 5 G. 4. c. 103. s. 19.

COIN.

1. To provide for the assimilation of the currency and monies of account throughout the U. K. of *G. B. and Ireland*, 6 G. 4. c. 79. [To commence and take effect from and after the 5th June, 1826, and not sooner, s. 17.]

2. Whereas the pound sterling in *G. B. and Ire.* respectively is, according to the currency of each, divisible into twenty shillings, and the shilling in *G. B. and Ire.* respectively is, according to the said currency of each, divisible into twelve-pence; but the silver coin which represents a shilling of the money of *G. B.* is paid and accepted and taken as representing one shilling and one penny of the currency of *Ire.*, and the pound sterling of the currency of *G. B.* is, at the par of exchange, paid, accepted and deemed as equivalent to one pound one shilling and eight-pence of the currency of *Ire.*; and any sum of *British* currency is, at the same par of exchange, paid, accepted, and deemed as equivalent to an amount of pounds, shillings, and pence of the currency of *Ire.* greater by one-twelfth part than the expressed amount of pounds, shillings, and pence of the currency of *G. B.* contained in such sum; and any sum of *Irish* currency is, at the same par of exchange, paid, accepted, and deemed as equivalent to an amount of pounds, shillings, and pence of the currency of *G. B.* less by one-thirteenth part than the expressed amount of pounds, shillings, and pence of the currency of *Ire.* contained in such sum: and whereas great complexity of accounts between persons residing within the different parts of the same U. K. of *G. B. and Ire.*, and other inconveniences, arise from the said difference of currencies; and it is expedient that the currency of *Ire.* should be assimilated to the currency of *G. B.* without disturbing the relation between debtor and creditor, and that there should be hereafter one uniform currency for the U. K. and that the values of the monies of account in *Ire.*, and of the monies of account in *G. B.* should in all cases whatever be assimilated to each other: be it therefore enacted, That on and from and after the commencement of this act, the currency of *G. B.* shall be and become and is hereby declared to be the currency of the whole U. K. of *G. B. and Ire.*, and that on and from and after the commencement of this act, all receipts and payments, and all gifts, grants, contracts, bargains, sales, agreements, and stipulations, and all written bonds, bills, notes, drafts, acceptances, receipts, acknowledgments, undertakings, or securities for money, and all transactions, dealings, matters, and things whatsoever relating to money, or involving or implying the payment of money, or the liability to pay any money, which shall be had, made, done, executed, or entered into in any and every part of the said U. K. shall be had, made, done, executed, and entered into according to such currency of *G. B.*, so becoming the currency and lawful money of the U. K. of *G. B. and Ire.*, and not according to any currency, or as money hath been or may be valued in any particular part of the said U. K., or in any other manner than according to such currency of the said U. K. except as herein-after is specially provided; and that all such receipts, payments, gifts, grants, contracts, bargains, sales, agreements, stipulations, bonds, bills, notes, drafts, acceptances, acknowledgments, undertakings, securities, transactions, dealings, matters, and things shall be held, deemed, construed, and taken to be had, made, executed, done, and entered into according to such currency of *G. B.*, so becoming the currency and lawful money of the U. K. of *G. B. and Ire.*, and in reference to money of the value

and description circulating in *G. B.* at the time of the passing of this act, unless the contrary be proved to have been the intention of the parties concerned; any law, statute, usage, or custom in force in any part of the said *U. K.* at any time before the passing of this act, to the contrary in anywise notwithstanding, 6 *G. 4. c. 79. s. 1.*

3. All gifts, grants, contracts, bargains, sales, agreements, and stipulations, and all bonds, bills of exchange, promissory notes, drafts, acceptances, receipts, acknowledgments, undertakings, and securities for money, and all debts due or to grow due under or by virtue of any recognizance, statute, judgment, award, bond, lease, or other specialty, or by virtue of any simple contract, written or parol, and all transactions, dealings, matters, and things whatsoever relating to money, or involving or implying the payment of money, or the liability to pay any money which shall have been or shall be acknowledged, confessed, awarded, executed, had, made, done, or entered into at any time before the commencement of this act, according to or with reference to the currency of *Ire.*, or as money shall, before the commencement of this act, have been valued or named in *Ire.*, shall, from and after the commencement of this act, be construed and carried into effect, and shall be paid, discharged, and satisfied, according to the amount thereof respectively in such *British* currency, so becoming the currency of the said *U. K.* as aforesaid, to be calculated in manner following; that is to say, that every sum of the currency of *Ire.* then due or thereafter to grow due, or to be accounted for in any way under and by virtue of any such gift, grant, contract, &c. or for or in respect of any such debt, recognizance, statute, &c. lease, specialty or simple contract, written or parol, or for or in respect of any such transaction, dealing, matter, or thing relating to money or liability as aforesaid, shall be equivalent to, and shall be stated as, and shall be liable to be paid, discharged, satisfied, and accounted for by a sum of such currency of the *U. K.*, less by one-thirteenth part than the amount of such sum expressed according to the currency of *Ire.*, in like manner to all intents and purposes as if such sum in the currency of the said *U. K.* less by one-thirteenth part than the sum of the currency of *Ire.*, to which such sum in the currency of the *U. K.* is to be and be deemed equivalent, had been mentioned and expressed in any and every such grant, contract, &c. or for or in respect of any such debt, recognizance, &c. or for or in respect of any such transaction, dealing, or other matter or thing relating to money, at the time when such grant, contract, &c. or other transaction, dealing, matter, or thing respectively, was actually acknowledged, confessed, awarded, executed, had, made, done, or entered into; any condition, agreement, or clause in or relating to any such grant, contract, bargain, sale, transaction, dealing, matter, or thing aforesaid to the contrary in any wise notwithstanding, 6 *G. 4. c. 79. s. 2.*

4. And whereas by 56 *G. 3. c. 98. s. 26.* [*Stat. Dig. tit. ACCOUNTS PUBLIC, pl. 113.*] intituled, *An Act to consolidate into one fund all the public revenues of G. B. and Ire., and to provide for the application thereof to the general service of the U. K.*; it is among other things enacted, that for the producing uniformity in all returns and statements to parliament with respect to the public revenue and expenditure of the *U. K.* all accounts of all receipts and payments which shall be made of any of the public revenues, duties, or taxes in *Ire.*, and also all accounts of all payments into and issues out of the receipt of the exchequer in *Ire.* shall be kept in such form and manner that the total amount of all sums under each respective head of account, in all accounts and papers relating to accounts to be laid before parliament, shall be stated in *British* currency, and that it shall be lawful for H. M.'s commissioners of the treasury of the *U. K.* at any time to give such orders and directions as to them shall seem fitting and expedient for accomplishing the purposes by the said act intended to be carried into effect: and whereas it is expedient to make further provisions for the producing complete uniformity in all accounts, statements, and returns whatever relating to the public revenue and expenditure: be it therefore enacted, That from and after the commencement of this act, all duties of customs, excise, taxes, stamps, and postage, and all rents and revenues payable to H. M. and all other public dues, and duties, and revenues whatever payable in *Ire.*, and all drawbacks, bounties or allowances in respect of any such duties, shall cease to be estimated in *Irish* currency, and shall be converted into *British* currency in all cases where the same are not payable in *British* currency at the time of the commencement of this act; and shall be estimated, levied, collected, received, accounted for, and paid by the several commissioners and officers under whose management such duties, drawbacks, bounties, or allowances, are collected, accounted for, and paid, in *British* currency, so becoming the currency and lawful money of the *U. K.*, to be calculated after the rate of twelve-thirteenth parts as aforesaid, of the sums which were to have been respectively paid in *Irish* currency; and that the public debt, stocks, funds, annuities, debentures, treasury bills, and securities, payable or transferrable at the bank of *Ire.*, or payable in *Ire.*, and all dividends and interests thereon, and all payments thereout, shall cease to be estimated in *Irish* currency, and shall be converted into *British* currency, to be calculated in manner directed

by this act, and shall be estimated, transferred, received, paid, and accounted for, according to the amount thereof in *British* currency so becoming the currency and lawful money of the *U. K.*; and that all accounts, entries, books, papers, returns, statements, writings, certificates, receipts, and documents whatsoever, relating to the said duties and drawbacks, or to such public debt, stocks, funds, annuities, debentures, treasury bills, or securities, or to the dividends or interest thereon, or to any receipts and payments whatever relating to the same, shall be made up and kept and stated in the currency and lawful money of the *U. K.*, to be calculated as aforesaid; and in no other currency nor according to any other amount whatever; any law, statute, usage, or custom to the contrary in anywise notwithstanding, 6 *G. 4. c. 79. s. 3.*

5. This act or any thing therein contained, shall not be deemed or held to increase or decrease or alter the quantity of gold or silver coin to be paid or payable in discharge of, or in any way in reference to, any public revenue or debt, or in discharge of or in reference to any sum or sums of money contained or mentioned in any act or acts of parliament in force at any time prior to the commencement of this act; nor in any manner to affect or take away any franchise, right, benefit, privilege, or advantage, resulting from the possession of any lands, tenements, rents, or property, of the value mentioned in any act or acts of parliament; nor to increase or decrease or alter the quantity of gold or silver coin, to be paid or payable in discharge of or in reference to any sum or sums of money due or payable at the time of the passing of this act, or which may become due or payable at any time after the commencement of this act under the authority or by virtue of any usage or custom which shall be in force prior to the commencement of this act; nor to increase or decrease or alter the quantity of gold or silver coin to be paid in discharge of or in reference to any sum or sums of money contained or mentioned in any law or bye-law of any corporation or other public body, or payable under any authority whatsoever, at any time before the commencement of this act, 6 *G. 4. c. 79. s. 4.*

6. And whereas in the converting of monies of *Irish* currency into *British* currency, certain fractional parts of a penny frequently arise, such fractional parts being invariably four, eight, twelve, sixteen, twenty, twenty-four, twenty-eight, thirty-two, thirty-six, forty, forty-four, or forty-eight fifty-second parts of a penny *British* currency respectively; and in all returns from the exchequer of *Ire.* to the commissioners of the treasury, under the directions of the said recited act of the 56 *G. 3. c. 98.* the sums, as stated in *British* currency, consist of pounds, shillings, pence, and such fractional parts of a penny as aforesaid, but such fractional parts are not capable of being represented in actual receipts and payments of money by any current coin; and it is expedient, in order to prevent uncertainty in all receipts and payments public and private, of money so converted into *British* currency from *Irish* currency, that a scale should be adopted, by which such uncertainty should be obviated; be it therefore enacted, That whenever, at any time after the commencement of this act upon the calculation of any amount of money converted into *British* currency from *Irish* currency, there shall be any fraction of a *British* penny not exceeding four fifty-second parts of a penny, no sum of money whatever shall be asked, demanded, taken, received, or paid, on account of any such fraction; and that in all receipts, and payments whatsoever, public or private, of any amount of money converted into *British* currency from *Irish* currency, upon the calculation of which amount there shall appear any fraction of a *British* penny, exceeding four fifty-second parts of a penny, the several fractions of eight, twelve, and sixteen fifty-second parts of a penny shall be considered as equivalent to one farthing; and the fractions of twenty, twenty-four, twenty-eight, and thirty-two fifty-second parts of a penny shall be considered as equivalent to one halfpenny; and the fractions of thirty-six, forty, and forty-four fifty-second parts of a penny shall be considered as equivalent to three farthings; and the fraction of forty-eight fifty-second parts of a penny shall be considered as equivalent to one penny; and that the sums of one farthing, one half-penny, three farthings, and one penny, *British* currency respectively, shall and may be demanded and taken and received, and shall be paid and satisfied in *British* copper coin, in all receipts and payments whatever of the amount of any such money so converted into *British* currency from *Irish* currency, as equivalent and equal to the said several before-mentioned fractions of a *British* penny respectively; and that all sums under the amount of twelve-pence *Irish* currency shall and may be demanded, taken and received, and shall be paid and satisfied in *British* copper coin; and the amount of the fractions of a penny, which shall result on converting such sums of *Irish* currency into *British* currency, shall be calculated and paid in manner herein-after directed, according to the several rates aforesaid, 6 *G. 4. c. 79. s. 5.*

7. And for the purpose of facilitating the calculation of the interest payable to the proprietors of any public stocks or funds in *Ire.*, when the principal shall be converted into *British* currency; be it enacted, That it shall and may be lawful for the commissioners of H. M.'s treasury of the *U. K.*, to direct that the governor and company of the bank of

Ire. shall pay, and it shall and may be lawful for the said governor and company, and they are hereby authorized and empowered to pay, or cause to be paid, to the person who shall be entitled to receive the dividends upon any such stocks or funds, at the first or any other time when any such person shall receive any such dividend after the passing of this act, all pence and all fractions of a penny of the amount so converted into *British* currency, of the capital or principal sum of any such stocks or funds upon which such dividends shall be payable respectively; provided that such payment shall not in any case exceed one shilling to any one proprietor of any sum in any one of such stocks or funds; and that the amount of the capital or principal sum remaining to each proprietor shall be thereby made to consist of pounds and shillings only of the currency of the U. K., 6 G. 4. c. 79. s. 6.

8. The governor and company of the bank of *Ire.* shall, upon making up their books preparatory to the payment of each and every half-yearly dividend, certify to the vice-treasurer in the exchequer in *Ire.* and the loan clerk there, (or to such other officer as shall be directed by the commissioners of H. M.'s treasury, or any three of them), the amount of all sums of money so paid by the said governor and company in the year preceding, and such loan clerk or other officer shall certify, by his signature, to such treasury the total amount of all such payments; and thereupon it shall and may be lawful for the said treasury, to grant their warrant to the commissioners for the reduction of the national debt, to pay to the governor and company of the bank of *Ire.*, out of any funds or monies at the disposal of the said commissioners, the total amount of the payment so made by the said governor and company within any such half-year; and it shall be lawful for the said commissioners for the reduction of the national debt to make such payments accordingly, and to place the same to the account of the reduction of the national debt in the accounts of the said commissioners; any act in force in *Ire.*, to the contrary notwithstanding, 6 G. 4. c. 79. s. 7.

9. And for the purpose of avoiding as much as possible the introduction of the fractional parts of a penny into the public accounts and statements, be it enacted, That in any case where any annual sum chargeable on the consolidated fund of the U. K. shall, at the time of the commencement of this act, be payable in *Irish* currency, it shall be lawful for the commissioners of H. M.'s treasury, upon the conversion of any such sum into *British* currency, to direct that such addition may be made to any such annual sum as shall be sufficient to exclude fractions of a penny from the amount of any such annual sum and the several quarterly payments thereof, 6 G. 4. c. 79. s. 8.

10. Provided, that nothing herein contained shall prevent any gift, grant, contract, bargain, sale, or dealing for money, or any bill, note, draft, acceptance, receipt, or acknowledgment for the payment of money, or any matter or thing relating to money, from being made or had according to the currency of foreign parts, 6 G. 4. c. 79. s. 9.

11. All debts, contracts, liabilities, matters, or things relating to money, at any time after the commencement of this act, arising by implication of law out of, or being founded upon any gifts, grants, contracts, bargains, sales, or dealings, matters or things, made, done, or had prior to the commencement of this act, shall be held, deemed, and construed to be within the meaning of this act, as debts, gifts, grants, contracts, liabilities, bargains, sales, or dealings, matters, or things, made or had prior to the commencement of this act, and shall be construed accordingly, 6 G. 4. c. 79. s. 10.

12. From and after such day after the commencement of this act, as shall be named and appointed in and by any proclamation which shall be made and issued for that purpose by H. M. in council, and by the lord lieutenant or other chief governor or governors of *Ire.*, by and with the advice of H. M.'s privy council in *Ire.*, the several silver and gold coins of *G. B.* shall circulate and be current in *Ire.* at the same nominal as well as real value as in other parts of the U. K., and shall be taken, paid, accepted, and computed, as representing, and divisible into the like number of pence, and as representing the like nominal sum of money as such coins are respectively current for and are divisible into, and do represent in *G. B.*, and not as current for or as representing or divisible into any greater number of pence, or as representing any greater nominal sum of money than the same are current for, or are divisible into, or do represent in *G. B.*; that is to say, the *British* silver sixpence shall circulate, and shall be taken, accepted, paid and computed as current for and divisible into and representing sixpence only, and not sixpence and one halfpenny; the *British* silver shilling as twelve pence, and not as thirteen pence; the *British* silver half-crown piece as thirty pence or two shillings and sixpence, and not as thirty-two pence and one halfpenny, or as two shillings and eight-pence halfpenny; the *British* silver crown piece as sixty pence or five shillings, and not as sixty-five pence, or five shillings and five pence; the *British* gold coin of a half sovereign as one hundred and twenty pence or ten shillings, and not as one hundred and thirty pence, or ten shillings and ten-pence; the *British* gold coin of a half-guinea as one hundred and twenty-six pence, or ten shillings and sixpence, and not as one hundred and thirty-six pence and one halfpenny, or eleven

shillings and four-pence halfpenny; the *British* gold coin of a sovereign, as two hundred and forty pence, or twenty shillings or one pound, and not as two hundred and sixty pence, or one pound one shilling and eight pence; the *British* gold coin of a guinea, as two hundred and fifty-two pence, or one pound and one shilling, and not as two hundred and seventy-three pence, or one pound two shillings and nine-pence; and the *British* gold coin of a double sovereign, as four hundred and eighty pence, or forty shillings or two pounds, and not as five hundred and twenty pence, or two pounds three shillings and four-pence; any law, statute, usage, or custom in force in *Ire.*, at any time before the passing or commencement of this act, to the contrary notwithstanding, 6 G. 4. c. 79. s. 11.

13. And whereas the copper money coined to be current in *Ire.* is of less value than the copper coin or money current in *G. B.*; be it enacted, That from and after such day as shall be named and appointed in and by any proclamation, which shall be made and issued by such authority as [s. 11. pl. 12.] aforesaid for that purpose, it shall be lawful for any person having or possessing any copper coin or money of the currency of *Ire.* and passing after the rate of thirteen pence or twenty-six halfpennies for the shilling *British* currency, to bring any such copper coin, and to deliver the same at the bank of *Ire.*, during such period and within such time as shall be mentioned and specified in such proclamations; and that there shall be delivered at the said bank of *Ire.*, to every person bringing in and delivering such copper coin of the currency of *Ire.* a sum in the current copper coin of *G. B.*, after the rate of twelve-pence of such *British* copper coin, for every thirteen pence or twenty-six halfpence of such copper coin of the currency of *Ire.*, so to be brought and delivered at the said bank of *Ire.*; and that from and after a day to be mentioned in such proclamations as aforesaid, all copper coin of the currency of *Ire.* shall cease to be current in *Ire.*, or in any part of the U. K., 6 G. 4. c. 79. s. 12.

14. And whereas sums under the amount of twelve-pence of the currency of *Ire.* cannot in certain cases be paid by any equivalent number of pence, halfpence, and farthings of the currency of *G. B.*, and it is unavoidable that in the payment of several of such sums an inconsiderable loss of a part of a farthing must be incurred either by the debtor or creditor; and it is necessary that some plain rule not liable to be misunderstood should be applied to ascertain upon which party such inconsiderable loss should fall; be it therefore enacted, That from and after the commencement of this act, the sums of one farthing, one halfpenny, three farthings, one penny, one penny farthing, and one penny halfpenny, of *Irish* currency, shall be paid and satisfied by the payment of one farthing, one halfpenny, three farthings, one penny, one penny farthing, and one penny halfpenny respectively, in the copper currency of *G. B.*; and that all sums of *Irish* currency exceeding one penny halfpenny, and not exceeding four-pence three farthings, shall be and shall be deemed to be acquitted, paid, and satisfied by the payment of a sum of the copper coinage of *G. B.*, less by one farthing than the expressed amount of the sum so payable in *Irish* currency; and that all sums of *Irish* currency exceeding four-pence three farthings, and not exceeding eight-pence, shall be and shall be deemed to be acquitted, paid, and satisfied by the payment of a sum of the copper coinage of *G. B.*, less by one halfpenny than the expressed amount of the sum so payable in *Irish* currency; and that all sums of *Irish* currency exceeding eight-pence and not exceeding eleven-pence farthing, shall be and shall be deemed to be acquitted, paid, and satisfied by the payment of a sum of the copper coinage of *G. B.*, less by three farthings than the expressed amount of the sums so payable in *Irish* currency; and that all sums of *Irish* currency exceeding eleven-pence farthing and not exceeding twelve-pence, shall be and shall be deemed to be acquitted, paid, and satisfied, by the payment of a sum of the copper coinage of *G. B.*, less by one penny than the expressed amount of the sum so payable in *Irish* currency, 6 G. 4. c. 79. s. 13.

15. And whereas by 55 G. 3. c. 100. s. 8., intituled, *An Act to provide for the collection and management of stamp duties payable on bills of exchange, promissory notes, receipts, and game certificates in Ire.*, it is among other things enacted, that it shall be lawful for bankers or other persons in *Ire.*, registered in manner required by the said recited act, who shall have made and issued any promissory note or notes for the payment to bearer on demand of any sum of money not exceeding one hundred pounds each, duly stamped, from time to time after the payment thereof, and within the term of three years from the date thereof, but not afterwards, to re-issue any such promissory notes or note without being liable to pay a further duty in respect thereof: and whereas it is expedient that from and after the commencement of this act all such re-issuable notes for the payment of any amount of money in *Irish* currency should cease to be re-issued, and that such bankers should be relieved from the loss arising from the ceasing to re-issue such notes before the expiration of the said term of three years; be it therefore enacted, that from and after the commencement of this act, all promissory notes for the payment to the bearer on demand of any sum of money not exceeding one hundred pounds each, which shall be

made and issued in *Ire.* by any registered banker or other person, and re-issuable under the provisions of the said recited act, shall be made payable according to the amount thereof in *British* currency, and not in *Irish* currency; and that it shall not be lawful for any such registered banker, or other person in *Ire.*, at any time after the commencement of this act, to re-issue any promissory note or notes payable in *Irish* currency, which shall have been issued in *Ire.* at any time before the commencement of this act, and which shall be paid by such banker or other person at any time after the commencement of this act; any thing in the said recited act to the contrary notwithstanding; and if any such banker or other person shall, at any time after the commencement of this act, re-issue any such note or notes, such banker or bankers shall for every such offence forfeit the sum of fifty pounds, to be recovered in like manner as any penalty of the like amount incurred under any act relating to the stamp duties in *Ire.*, 6 G. 4. c. 79. s. 14.

16. It shall and may be lawful for any registered banker, or other person in *Ire.*, who shall have lawfully issued or re-issued any such promissory notes, re-issuable aforesaid, at any time before the commencement of this act, and who shall have paid the same at any time after the commencement of this act, and before the expiration of three years from the date thereof, to bring, send, and deliver such notes, or cause the same to be brought, sent, and delivered, to the stamp-office in *Dublin*, and at the same time to deliver a quantity of paper, and require the same to be stamped with stamps denoting the duty on promissory notes re-issuable as aforesaid, in lieu of the stamps on the notes so brought in and delivered; and it shall be lawful for the commissioners of stamps in *Ire.*, upon such proof and under such regulations as the said commissioners shall for that purpose direct and require, to cause any such paper to be stamped or marked with such stamps, denoting the duties payable in respect of promissory notes re-issuable as aforesaid, as shall be required by such banker or other person to the several amounts following; that is to say, in case the notes so brought in and delivered shall be dated at any time within the year next before the time when the same shall be so brought in and delivered, then the banker or person delivering the same shall in lieu thereof be entitled to and shall receive stamps on such paper so brought to be stamped as aforesaid, to an amount equal to the whole of the stamp duties on such notes so brought in and delivered; and in case the notes so brought in and delivered shall be dated at any time exceeding one year, and not exceeding two years, next before the same shall be so brought in and delivered, then such banker or other person shall, in lieu thereof, be entitled to stamps to an amount equal to three-fourths of the stamp duties in such notes so brought in and delivered; and in case the notes so brought in and delivered shall be dated at any time exceeding two years, and not exceeding three years next before the time when the same shall be so brought in and delivered, then such banker or other person shall, in lieu thereof, be entitled to stamps to an amount equal to one-half of the stamp duties on such notes so brought in and delivered, 6 G. 4. c. 79. s. 15.

17. It shall and may be lawful for the commissioners of H. M.'s treasury for the time being, from time to time to publish and distribute, or to order or cause to be published or distributed, copies of this act, or any extracts therefrom, or any explanation thereof, or any orders or directions relating thereto, throughout *Ire.*, together with such tables, showing the difference between *British* and *Irish* currency, or between the *Irish* currency and the currency or lawful money of the U. K., as the said commissioners shall from time to time think fit; and it shall and may be lawful for the said commissioners to direct the issue of such sum or sums of money from time to time out of the consolidated fund of the U. K., as may be necessary for the purpose of defraying the expences of so doing, 6 G. 4. c. 79. s. 16.

COLONIES. (See NAVIGATION.)

1. To make provision for the salaries of certain bishops, and other ecclesiastical dignitaries and ministers, in the diocese of *Jamaica*, and in the diocese of *Barbadoes* and the *Leeward Islands*; and to enable H. M. to grant annuities to such bishops upon the resignation of their offices, 6 G. 4. c. 88.

2. Whereas H. M. by his several royal letters patent has been graciously pleased to direct and appoint that the island of *Jamaica*, the *Bahama* islands, and the settlements in the bay of *Honduras*, and their respective dependencies, should be and become a bishoprick, and the diocese and see of a bishop of the united church of *England* and *Ireland* as established by law, to be called "The Bishoprick of *Jamaica*;" and that there should be one bishop of the said diocese, and that there should also be one archdeacon and seven ministers of the gospel in and for the said diocese; and in like manner that the islands of *Barbadoes*, *Grenada*, *Saint Vincent's*, *Dominica*, *Antigua* and *Montserrat*, *Saint Christopher's*, *Nevis*, and the *Virgin Islands*, *Trinidad*, *Tobago* and *Saint Lucie*, and their respective dependencies, should be and become a bishoprick, and

the diocese and see of a bishop, to be called "the bishoprick of *Barbadoes* and the *Leeward Islands*," and that there shall be one bishop of the said last mentioned diocese, and that there should also be one archdeacon in and for the island of *Barbadoes*, and one archdeacon in and for the island of *Antigua*, and that there should be thirteen ministers of the gospel and three catechists within the said last mentioned diocese; and it is expedient that provision should be made for the payment of yearly salaries to such bishops, archdeacons, ministers, and catechists respectively, and also to enable H. M. to grant to such bishops respectively yearly pensions or annuities on their retiring from their dioceses: be it enacted, That the persons who shall from time to time exercise and enjoy the several dignities and offices herein-after mentioned, under or by virtue of H. M.'s letters patent or authority, shall receive the several salaries or annual sums herein-after respectively specified and set forth; that is to say, the bishop of the diocese of *Jamaica*, and the bishop of the diocese of *Barbadoes* and the *Leeward Islands*, in the *West Indies*, the salary or annual sum of four thousand pounds each, of lawful money of the U. K. of G. B. and *Ire.*; the archdeacon of the island of *Jamaica*, and the archdeacon of the island of *Barbadoes*, and the archdeacon of the island of *Antigua*, the salary or annual sum of two thousand pounds each, of the like lawful money; the seven ministers of the gospel in the diocese of *Jamaica*, and the thirteen ministers of the gospel in the diocese of *Barbadoes* and the *Leeward Islands*, the salary or annual sum of three hundred pounds each, of the like lawful money; the three catechists in the said diocese of *Barbadoes* and the *Leeward Islands*, the salary or annual sum of one hundred pounds each, of the like lawful money; and that all the said several salaries and annual sums shall be paid and payable free and clear from all taxes and deductions whatsoever, 6 G. 4. c. 88. s. 1.

3. It shall and may be lawful for the treasury from time to time, by warrant under their hands, to direct the proper officer of the exchequer to issue out of the growing produce of the consolidated fund of the U. K. to such person as may be appointed to receive the same, all such sums of money as may from time to time be necessary for the payment of any of the several salaries or annual sums made payable by this act, which may have accrued respectively at any time before the passing of this act [5th July 1825.], or which may from time to time accrue and become due and payable at any time after the passing of this act, 6 G. 4. c. 88. s. 2.

4. It shall be lawful for H. M., by any letters patent under the Great Seal of the U. K., to give and grant unto any person who may or shall execute the office of bishop of the diocese of *Jamaica*, or the office of bishop of the diocese of *Barbadoes* and the *Leeward Islands* respectively, and who shall resign the same respectively, an annuity or yearly sum of money not exceeding the sum of one thousand pounds to any such bishop respectively, to commence and take effect immediately from and after the period whenever the person to whom such annuity or yearly sum of money shall be granted shall resign or shall have resigned the said offices respectively, and to continue from thenceforth for and during the natural life of the person to whom such annuity shall be granted as aforesaid; and such annuity or yearly sum shall be issued out of and charged upon the consolidated fund of the U. K., next in order of payment to and after paying and reserving sufficient to pay all such sums of money as have been directed by any former act or acts of parliament to be paid out of the same, but with preference to all other payments which shall and may be charged upon or payable out of the said fund; and such annuity or yearly sum shall from time to time be paid and payable quarterly, free and clear of all taxes and deductions whatsoever, at the four usual days of payment in the year; that is to say, the 5th Jan., 5th April, 5th July, and the 10th Oct. in each and every year, by even and equal portions, the first payment to be made on such of the said days as shall happen next after such resignation as aforesaid of the said office: provided, that no such annuity granted to any person having executed either of the said offices respectively shall be valid, unless such persons shall have continued in the said office for the period of ten years, or shall be afflicted with some permanent infirmity, disabling him from the due execution of his office of bishop, which shall be distinctly recited in the said grant, 6 G. 4. c. 88. s. 3.

5. And whereas it is expedient that the charge to be created by the salaries or pensions which may from time to time be payable under this act to the bishops, archdeacons, ministers, or catechists appointed or to be appointed by H. M. as aforesaid, should be charged upon the duties of four and a half per cent. payable to H. M. in the *West Indies*, whenever the said duties, after payment of the prior charges thereon, shall afford the means of defraying the whole or any part of such salaries or pensions; be it therefore enacted, that the said salaries and pensions shall become and be a charge upon the said duties of four and a half per cent. next in priority after the salaries of the governors, lieutenant governors, and other public officers, payable out of those duties after the termination of any other charges now existing thereupon, and that any and every surplus which shall at any time arise out of the produce of those duties after defraying all such

other charges now existing thereupon, or by reason of the cessation of any of those charges, shall go and be applied in the first instance to defray the charges of the salaries and pensions to be granted under the authority of this act accordingly, 6 G. 4. c. 88. s. 4.

COMBINATIONS. (See LABOURERS.)

(STATUTE repealed.)

1. To repeal the laws relative to the combination of workmen, and for other purposes therein mentioned, 5 G. 4. c. 95. [Rep. 6 G. 4. c. 129. s. 1. see also s. 2.]

(STATUTE in force.)

2. To repeal the laws relating to the combination of workmen, and to make other provisions in lieu thereof, 6 G. 4. c. 129.

3. Whereas 5 G. 4. c. 95. was passed, intituled, *An Act to repeal the laws relative to the combination of workmen, and for other purposes therein mentioned*, by which act various statutes and parts of statutes relating to combinations among workmen for fixing the wages of labour, and for regulating or controlling the mode of carrying on any manufacture, trade, or business, were repealed, and other provisions were made for protecting the free employment of capital and labour, and for punishing combinations interfering with such freedom, by means of violence, threats, or intimidation: and whereas the provisions of the said act have not been found effectual: and whereas such combinations are injurious to trade and commerce, dangerous to the tranquillity of the country, and especially prejudicial to the interests of all who are concerned in them: and whereas it is expedient to make further provision, as well for the security and personal freedom of individual workmen in the disposal of their skill and labour, as for the security of the property and persons of masters and employers, and for that purpose to repeal the said act, and to enact other provisions and regulations in lieu thereof: be it therefore enacted, That from and after the passing of this act [6th July 1825.], the said recited act of the last session of parliament shall be and the same is hereby repealed, 6 G. 4. c. 129. s. 1.

4. Provided that from and after the passing of this act, so much of 33 Ed. 1. st. 1. [Dig. tit. CHAMPERTY, pl. 1. tit. CONSPIRACY, pl. 3.], concerning conspirators who do confeder or bind themselves by oath, covenant, or other alliance, as relates or extends to combinations or conspiracies of workmen or other persons to obtain an advance of or to fix the rate of wages, or to lessen or alter the hours or duration of the time of working, or to decrease the quantity of work, or to regulate or controul the mode of carrying on any manufacture, trade, or business, or the management thereof, or to combinations or conspiracies of masters, manufacturers, or other persons, to lower or fix the rate of wages, or to increase or alter the hours or duration of the time of working, or to increase the quantity of work, or to regulate or controul the mode of carrying on any manufacture, trade, or business, or the management thereof, or to oblige workmen to enter into work; and also so much of 3 H. 6. c. 1. [Dig. tit. LABOURERS, pl. 2.] as relates to the annual congregations and confederacies made by masons in their general chapters assembled; and also a certain act passed in the parliament of Ireland, 33 H. 8. (Ir.) st. 1. c. 9. intituled, *An Act for servants wages*; also 2 & 3 Ed. 6. c. 15. [Dig. tit. CONSPIRACY, pl. 6.], intituled, *An Act touching victuallers and handicraftsmen*; and also a certain other act passed in the parliament of Scotland, in the fifth parliament of king James the first of Scotland, intituled, *Of the Fees of craftsmen, and the price of their worke*; also a certain other act passed in the parliament of Scotland, in the fifth parliament of king James the first of Scotland, intituled, *Of the Fees of workmen*; also a certain other act passed in the parliament of Scotland, in the fifth parliament of king James the first of Scotland, intituled, *Of Writches and masones*; also a certain other act passed in the parliament of Scotland, in the seventh parliament of king James the first of Scotland, intituled, *The Price of ilk workmanship*; also a certain other act passed in the parliament of Scotland, in the fifth parliament of queen Mary of Scotland, intituled, *The Price of craftsmenne's wark, of meate and drinke in tavernes*; also a certain other act passed in the parliament of Scotland, in the seventh parliament of king James the sixth of Scotland, intituled, *Anent the setting of Ordour and price in all stuiiffe*; also so much of 15 & 14 C. 2. c. 15. s. 10. [Dig. tit. SILK MANUFACTURES, pl. 12.], intituled, *An Act for regulating the trade of silk throwing*, as provides and enacts, that the corporation of silk throwers should not, by virtue of that act, nor any thing therein contained, make any orders, ordinances, or bye laws, to set any rates or prices whatsoever upon the throwing of silk, to bind or enforce their members to work at; also 7 G. 1. st. 1. c. 13. altogether, except ss. 4. 6. 9. Dig. tit. TAYLORS, pl. 8. 12. 16.], intituled, *An Act for regulating the journeymen tailors within the weekly bills of mortality*, excepting so much thereof as relates to the recovery of wages, or to journeymen tailors or servants departing from their service, or

refusing to enter into work or employment, as therein mentioned; also so much of 12 G. 1. c. 34. ss. 1. 8. [Dig. tit. WOOL, pl. 49.], intituled, *An Act to prevent unlawful combinations of workmen employed in the woollen manufactures, and for better payment of their wages*, as provides that contracts, covenants, or agreements, bye laws, ordinances, rules, and orders, made or entered into by or between persons brought up in, or professing, using, or exercising the art and mystery of a woolcomber or weaver, or journeyman woolcomber or journeyman weaver, as therein mentioned, shall be illegal, null, and void, and as punishes woolcombers, weavers, journeymen woolcombers and weavers, and other persons concerned in the woollen manufactures, for keeping up, continuing, acting in, making, entering into, signing, sealing, or being knowingly concerned in, presuming or attempting to put in execution such agreements, bye laws, ordinances, rules, or orders, as therein mentioned, and as provides that the provisions of the said act of the 12 G. 1. just recited, shall extend to the persons therein mentioned; also so much of 3 G. 2. (Ir.) c. 14. intituled, *An Act to prevent unlawful combinations of workmen, artificers, and labourers, employed in the several trades and manufactures of this kingdom, and for the better payment of their wages; as also to prevent abuses in making of bricks, and to ascertain their dimensions*, as declares illegal, null, and void the contracts, covenants, agreements, bye-laws, ordinances, rules, and orders therein mentioned, and makes it an offence to keep up, continue, act in, make, enter into, sign, seal, or be knowingly concerned therein, and to presume or attempt to put the same into execution, as therein mentioned; also so much of 17 G. 2. c. 28. (Ir.) intituled, *An Act for continuing several statutes now near expiring, and for amending other statutes, and for other purposes therein mentioned*, as declares the assemblies therein mentioned to be unlawful assemblies, the houses where they meet common nuisances, and punishes the master and mistress thereof, as likewise those who enter into the contracts, covenants, or articles therein mentioned, or collect or pay money for the support of persons as therein mentioned; also so much of 22 G. 2. c. 27. s. 12. [Dig. tit. MANUFACTURES, pl. 33.], intituled, *An Act for the more effectual preventing frauds and abuses committed by persons employed in the manufacture of hats, and in the woollen, linen, fustian, cotton, iron, leather, fir, hemp, flax, mohair and silk manufactures, and for preventing unlawful combinations of journeymen dyers and journeymen hotpressers, and of all persons employed in the said several manufactures, and for the better payment of their wages*, as extends those provisions of 12 G. 1. c. 34., to the persons therein mentioned; also so much of 29 G. 2. c. 23. s. 1. 2. [previously repealed by 30 G. 2. c. 12. WOOL, pl. 61.], intituled, *An Act to render more effectual an act passed in the twelfth year of the reign of His late Majesty King George, to prevent unlawful combinations of workmen employed in the woollen manufactures, and for better payment of their wages; and also an act passed in the thirteenth year of the reign of His said late Majesty, for the better regulation of the woollen manufacture, and for preventing disputes among the persons concerned therein, and for limiting a time for prosecution for the forfeiture appointed by the aforesaid act, in case of the payment of the workmen's wages in any other manner than in money*, as relates to the making of rates for the payment of wages, continuing and altering and notifying them as therein mentioned; also so much of 3 G. 3. (Ir.) c. 17. intituled, *An Act for continuing and amending certain temporary statutes heretofore made, for the better regulation of the city of Cork, and for enlarging the salary of the treasurer, and for the better regulating the sale of coals in the said city, and for erecting and continuing lamps in the same, and for the better preserving the streets and highways therein, and for confirming and establishing a court of conscience in the said city, and for regulating the assize of bread therein, and for securing the quays by parapet walls*, as relates to the assemblies and combinations of artificers, journeymen, apprentices, labourers, and manufacturers therein mentioned; also so much of 3 G. 3. (Ir.) c. 34. intituled, *An Act for the better regulation of the linen and hempen manufactures, as relates to meeting in order to consult upon or enter into rules, agreements, or combinations to ascertain or fix the price of labour or workmanship, and as relates to administering oaths or declarations tending to fix the price of wages or workmanship, and as relates to issuing and delivering tickets, certificates, and tokens of parties being licensed to work, and as relates to rules, orders, and regulations relating to the price or wages of labour or workmanship, and as relates to oaths to enter into combinations or agreements to ascertain or fix the price of wages or workmanship, and to oaths and combinations not to work for a particular employer, as therein mentioned; also 8 G. 3. c. 17. [Dig. tit. TAYLOR, pl. 1.], intituled, *An Act to amend an act made in the seventh year of King George the First, intituled, 'An Act for regulating the journeymen tailors within the weekly bills of mortality'*; also so much of 11 & 12 G. 3. c. 18. (Ir.), intituled, *An Act for the regulation of the city of Cork, and for other purposes therein mentioned relative to the said city*, as relates to the meetings and assemblies therein mentioned, the administering and taking oaths and declarations, to the tickets, certificates, advertisements, and writings, and to the rules, orders, agreements, and regulations, and to the combinations and agreements to ascertain or fix*

the price of wages, labour, or workmanship, or not to work, and as relates to the refusal or neglect, by persons not in actual service, to work on application made, and as relates to the detection and discovery of assemblies and combinations for any of the above recited purposes, and as relates to ascertaining wages as therein mentioned; also so much of 11 & 12 G. 3. (Ir.) c. 33. intituled, *An Act for regulating the journeymen tailors and journeymen shipwrights of the city of Dublin, and the liberties thereof, and of the county of Dublin*, as punishes those who permit the clubs and societies therein mentioned to be kept or held in their houses or apartments, and as makes the contracts, covenants, and agreements therein mentioned, and oaths to enforce them, illegal, and as punishes persons for keeping up, continuing, acting in, making, entering into, signing, sealing, or being knowingly interested or concerned in such contracts, covenants, or agreements, and as punishes persons not retained or employed for refusing to enter into work or employment on request made, as therein mentioned, and as regulates the hours of work and the rate of wages as therein mentioned; also 13 G. 3. c. 68. [repealed in part by this act, and in toto by 5 G. 4. c. 66. Dig. tit. SILK MANUFACTURERS, pl. 29.] intituled, *An Act to empower the magistrates therein mentioned to settle and regulate the wages of persons employed in the silk manufacture within their respective jurisdictions*; also so much of 17 G. 3. c. 55. s. 3, 4. [Dig. tit. HATS AND CAPS, pl. 13, 14.] intituled, *An Act for the better regulating the hat manufactory*, as relates to the keeping up, acting in, making, entering into, signing, sealing, or being knowingly concerned in the contracts, covenants, or agreements, bye laws, ordinances, rules, or orders of the clubs, societies, or combinations therein mentioned, or the presuming or attempting to put the agreements, bye laws, ordinances, rules, or orders in execution, or to the attending meetings, clubs, societies, or combinations, or to the summoning, giving notice to, or calling upon, collecting, demanding, or receiving, persuading, enticing, or inveigling, or endeavouring to persuade, entice, or inveigle, paying money, making or entering into subscriptions or contributions as therein mentioned; also so much of 19 & 20 G. 3. (Ir.) c. 19., intituled, *An Act to prevent combinations, and for the further encouragement of trade*, as declares that combinations in trade are public nuisances, and that the acts therein enumerated shall be considered as evidences of unlawful combination, and sufficient for the conviction of any person who shall be guilty of the same, and as avoids rules, bye laws, and regulations contrary to its provisions, and oaths for obeying or executing the same, and as provides for the case of an act of combination for which no specific punishment is pointed out, as therein mentioned; also so much of 19 & 20 G. 3. (Ir.) c. 24., intituled, *An Act for the better regulation of the silk manufacture*, as relates to the wages and prices for work, to combinations to raise wages, and the decoying or soliciting journeymen weavers, as therein mentioned; also so much of 19 & 20 G. 3. (Ir.) c. 36., intituled, *An Act for regulating the curing and preparing provisions, and for preventing combinations among the several tradesmen and other persons employed in making up such provisions, and for regulating the butter trade in the city of Dublin, and for other purposes therein mentioned*, as relates to summoning persons to appear at meetings and assemblies, and as relates to administering oaths or declarations, to the issuing and delivering of messages, tickets, certificates, tokens, advertisements, or writings, to making or joining in making rules, orders, agreements, and regulations, as therein mentioned, and as relates to taking oaths, or entering into combinations or agreements to ascertain or fix the price of wages, or of labour or workmanship, or to make any rule, order, agreement, or regulation, and to taking oaths, and entering into combinations and agreements not to work for a particular person, as therein mentioned, and as relates to the fixing of wages; also so much of 25 G. 3. (Ir.) c. 48., intituled, *An Act for granting the sums of twenty thousand pounds, five thousand pounds, and four thousand pounds, to certain trustees, and for promoting the several manufactures therein named*, as relates to the ascertaining the rates of labour and prices of workmanship, as therein mentioned, and as requires an affidavit to be filed previous to the commencement of a suit as therein mentioned; also so much of 32 G. 3. c. 44., [repealed in part by this act, and in toto by 5 G. 4. c. 66. Dig. tit. SILK MANUFACTURERS, pl. 10. 29.] intituled, *An Act for extending the provisions of an act made in the thirteenth year of the reign of His present Majesty, intituled 'An Act to empower the magistrates therein mentioned to settle and regulate the wages of persons employed in the silk manufacture within their respective jurisdictions,' to manufactories of silk mixed with other materials, and for the more effectual punishment of buyers and receivers of silk purloined and embezzled by persons employed in the manufacture thereof*; also 36 G. 3. c. 111. [Dig. tit. PAPER MANUFACTORY, pl. 1.] intituled, *An Act to prevent unlawful combinations of workmen employed in the paper manufactory*; also so much of 39 G. 3. c. 56. s. 2—4., intituled, *An Act to explain and amend the laws relative to colliers in that part of G. B. called Scotland*, as relates to the fixing and appointing of hire and wages; also Dig. 39 & 40 G. 3. c. 106. [repealed in part by this act, and in toto by 5 G. 4. c. 96. tit. CONSPIRACY, pl. 10.] intituled, *An Act to repeal an act passed in the last session of parliament, intituled 'An Act to prevent unlawful combinations of workmen,' and to*

substitute other provisions in lieu thereof; also so much of 43 G. 3. c. 86. s. 1—4. 10. intituled, *An Act to prevent unlawful combinations of workmen, artificers, journeymen, and labourers, in Ireland, and for other purposes relating thereto*, as makes illegal and void contracts, covenants, and agreements for obtaining an advance of wages, or for lessening or altering the hours or time of working, or for decreasing the quantity of work, or for controuling or affecting the conduct or management of any manufacture, trade, or business, and as prohibits the making or entering into or being concerned in the same, and as punishes persons for so doing, and as relates to the combinations therein mentioned, and as relates to endeavouring by gift, persuasion, or solicitation to prevent persons hiring themselves, and as relates to attending the meetings therein mentioned, or endeavouring to induce the attendance of others, and collecting, demanding, asking, or receiving money for the purposes therein mentioned, and as relates to persuading, enticing, soliciting, or endeavouring to induce others to enter into or be concerned in the combinations therein mentioned, and to paying money, making or entering into subscriptions or contributions, and to oaths and declarations, and to tickets, certificates, and tokens, and to contributions supporting and maintaining others, as therein mentioned, and as punishes persons for permitting assemblies in their houses or apartments as therein mentioned; also 47 G. 3. sess. 1. c. 43. intituled, *An Act to declare that the provisions of an act, made in the parliament of Ireland, in the thirty-third year of King Henry the Eighth, relating to servants' wages, shall extend to all counties of cities and counties of towns in Ireland*; also so much of 57 G. 3. c. 27. s. 3. [Dig. tit. COALS, pl. 44.] intituled, *An Act to extend the provisions of an act of the twelfth year of His late Majesty King George the First, and an act of the twenty-second year of His late Majesty King George the Second, against payment of labourers in goods or by truck, and to secure their payment in the lawful money of this realm, to labourers employed in the collieries, or in the working and getting of coal, in the United Kingdom of G. B. and Ireland, and for extending the provisions of the said acts to Scotland and Ireland*, as did extend to Scotland and Ireland any of the provisions of the acts intended to be repealed by the said recited act of the last session of parliament; and all enactments in any other statutes or acts which, immediately before the passing of 5 G. 4. c. 95., were in force throughout or in any part of the U. K. of G. B. and Ire. relative to combinations to obtain an advance of wages, or to lessen or alter the hours or duration of the time of working, or to decrease the quantity of work, or to regulate or controul the mode of carrying on any manufacture, trade, or business, or the management thereof, or relative to combinations to lower the rate of wages, or to increase or alter the hours or duration of the time of working, or to increase the quantity of work, or to regulate or controul the mode of carrying on any manufacture, trade, or business, or the management thereof, or relative to fixing the amount of the wages of labour, or relative to the obliging workmen not hired to enter into work, and every enactment enforcing or extending the application of any of the said several enactments so repealed, shall, notwithstanding the repeal of the said recited act of the last session of parliament, still be and remain repealed, except only so far as the same or any of them may have repealed any former act or enactment, 6 G. 4. c. 129. s. 2.

5. From and after the passing of this act [6th July 1825.] if any person shall by violence to the person or property, or by threats or intimidation, or by molesting or in any way obstructing another, force or endeavour to force any journeyman, manufacturer, workman, or other person hired or employed in any manufacture, trade, or business, to depart from his hiring, employment, or work, or to return his work before the same shall be finished, or prevent or endeavour to prevent any journeyman, manufacturer, workman, or other person not being hired or employed, from hiring himself to, or from accepting work or employment from any person or persons; or if any person shall use or employ violence to the person or property of another, or threats or intimidation, or shall molest or in any way obstruct another for the purpose of forcing or inducing such person to belong to any club or association, or to contribute to any common fund, or to pay any fine or penalty, or on account of his not belonging to any particular club or association, or not having contributed or having refused to contribute to any common fund, or to pay any fine or penalty, or on account of his not having complied or of his refusing to comply with any rules, orders, resolutions, or regulations made to obtain an advance or to reduce the rate of wages, or to lessen or alter the hours of working, or to decrease or alter the quantity of work, or to regulate the mode of carrying on any manufacture, trade, or business, or the management thereof; or if any person shall by violence to the person or property of another, or by threats or intimidation, or by molesting or in any way obstructing another, force or endeavour to force any manufacturer or person carrying on any trade or business, to make any alteration in his mode of regulating, managing, conducting, or carrying on such manufacture, trade, or business, or to limit the number of his apprentices, or the number or description of his journeymen, workmen, or servants; every person so offending, or aid-

ing, abetting, or assisting therein, being convicted thereof in manner herein-after mentioned, shall be imprisoned only, or shall and may be imprisoned and kept to hard labour, for any time not exceeding three calendar months, 6 G. 4. c. 129. s. 3.

6. Provided, that this act shall not extend to subject any persons to punishment, who shall meet together for the sole purpose of consulting upon and determining the rate of wages or prices, which the persons present at such meeting, or any of them, shall require or demand for his or their work, or the hours or time for which he or they shall work in any manufacture, trade, or business, or who shall enter into any agreement, verbal or written, among themselves, for the purpose of fixing the rate of wages or prices which the parties entering into such agreement, or any of them, shall require or demand for his or their work, or the hours of time for which he or they will work, in any manufacture, trade, or business; and that persons so meeting for the purposes aforesaid, or entering into any such agreement as aforesaid, shall not be liable to any prosecution or penalty for so doing; any law or statute to the contrary notwithstanding, 6 G. 4. c. 129. s. 4.

7. Provided that this act shall not extend to subject any persons to punishment who shall meet together for the sole purpose of consulting upon and determining the rate of wages or prices which the persons present at such meeting, or any of them, shall pay to his or their journeymen, workmen, or servants, for their work, or the hours or time of working in any manufacture, trade, or business, or who shall enter into any agreement, verbal or written, among themselves, for the purpose of fixing the rate of wages or prices, which the parties entering into such agreement, or any of them, shall pay to his or their journeymen, workmen, or servants, for their work, or the hours or time of working in any manufacture, trade, or business; and that persons so meeting for the purposes aforesaid, or entering into any such agreement as aforesaid, shall not be liable to any prosecution or penalty for so doing, any law or statute to the contrary notwithstanding, 6 G. 4. c. 129. s. 5.

8. Every person who shall or may offend against this act, shall and may, equally with all other persons, be called upon and compelled to give his or her testimony and evidence as a witness on behalf of H. M., or of the prosecutor or informer, upon any information to be made or exhibited under this act, against any other person not being such witness as aforesaid; and that in all such cases every person having given his or her testimony or evidence as aforesaid, shall be and is hereby indemnified of, from, and against any information to be laid, or prosecution to be commenced against him or her, for having offended in the matter wherein or relative to which he, she, or they shall have given testimony or evidence as aforesaid, 6 G. 4. c. 129. s. 6.

9. And for the more effectually enforcing and carrying into execution the provisions of this act; be it further enacted, that on complaint and information on oath before any one or more justice or justices of the peace, of any offence having been committed against this act, within his or their respective jurisdictions, and within six calendar months before such complaint or information shall be made, such justice or justices are hereby authorized and required to summon the person or persons charged with being an offender or offenders against this act, to appear before any two such justices, at a certain time or place to be specified; and if any person or persons so summoned shall not appear according to such summons, then such justices (proof on oath having been first made before them of the due service of such summons upon such person or persons, by delivering the same to him or them personally, or leaving the same at his or their usual place of abode, provided the same shall be so left twenty-four hours at the least before the time which shall be appointed to attend the said justices upon such summons), shall make and issue their warrant or warrants for apprehending the person or persons so summoned, and not appearing as aforesaid, and bringing him or them before such justices; or it shall be lawful for such justices, if they shall think fit, without issuing any previous summons, and instead of issuing the same, upon such complaint and information as aforesaid, to make and issue their warrant or warrants for apprehending the person or persons by such information charged to have offended against this act, and bringing him or them before such justices; and upon the person or persons complained against appearing upon such summons, or being brought by virtue of such warrant or warrants before such justices, or upon proof on oath of such person or persons absconding, so that such warrant or warrants cannot be executed, then such justices shall and they are hereby authorized and required forthwith to make inquiry touching the matters complained of, and to examine into the same by the oath of any one or more credible person or persons as shall be requisite, and to hear and determine the matter of every such complaint; and upon confession by the party, or proof by one credible witness upon oath, to convict or acquit the party or parties against whom complaint shall have been made as aforesaid, 6 G. 4. c. 129. s. 7.

10. It shall be lawful for the justices of the peace before whom any

such complaint and information shall be made as aforesaid, and they are hereby authorized and required, at the request in writing of any of the parties, to issue his or their summons to any witness to appear and give evidence before such justices, at the time and place appointed for hearing and determining such complaint, and which time and place shall be specified in such summons; and if any person so summoned to appear as a witness shall not appear before such justices, at the time and place specified in such summons, or offer some reasonable excuse for the default, or appearing according to such summons, shall not submit to be examined as a witness, and give his evidence before such justices, touching the matter of such complaint, then and in every such case it shall be lawful for such justices, and they are hereby authorized (proof on oath, in the case of any person not appearing according to such summons, having been first made before such justices of the peace, of the due service of such summons on every such person, by delivering the same to him or her, or by leaving the same twenty-four hours before the time appointed for such person to appear before such justices, at the usual place of abode of such person), by warrant under the hands of such justices, to commit such person so making default in appearing, or appearing and refusing to give evidence, to some prison within the jurisdiction of such justices, there to remain without bail or mainprize, for three calendar months, or until such person shall submit to be examined and give evidence before such justices as aforesaid, 6 G. 4. c. 129. s. 8.

11. The justices before whom any person shall be convicted of any offence against this act, or by whom any person shall be committed to prison for not appearing as a witness, or not submitting to be examined, shall cause all such convictions, and the warrants or orders for such commitments to be drawn up in the form or to the effect set forth in the schedule to this act annexed, 6 G. 4. c. 129. s. 9.

12. The justices before whom any such conviction shall be had, shall cause the same (drawn up in the form or to the effect herein-before directed) to be fairly written on parchment, and transmitted to the next general sessions or general quarter sessions of the peace to be holden for the county, riding, division, city, liberty, town, or place wherein such conviction was had, to be filed amongst the records of the said general sessions or general quarter sessions; and in case any person shall appeal, in manner herein-after mentioned, from the judgment of the said justices, to the said general or general quarter sessions, the justices in such sessions are hereby required, upon receiving such conviction, to proceed to the hearing and determination of the matter of the said appeal, according to the directions of this act, 6 G. 4. c. 129. s. 10.

13. Provided, that in *Scotland* all prosecutions under this act may be insisted on at the instance of the public prosecutor, and may be judged of, either by two justices of the peace, or by the sheriff of the county, within which the offence may have been committed, 6 G. 4. c. 129. s. 11.

14. Provided, that if any person convicted of any offence punishable by this act, shall think himself aggrieved by the judgment of such justices, before whom he or she shall have been convicted, such person shall have liberty to appeal from every such conviction to the next court of general or general quarter sessions of the peace which shall be held for the county, riding, division, city, liberty, town, or place wherein such offence was committed; and that the execution of every judgment so appealed from shall be suspended, in case the person so convicted shall immediately enter into recognizances before such justices (which they are hereby authorized and required to take) himself in the penal sum of ten pounds, with two sufficient sureties in the penal sum of ten pounds of lawful money of *G. B.*, upon condition to prosecute such appeal with effect, and to be forthcoming to abide the judgment and determination of the said next sessions, and to pay such costs as the said court shall award on such occasion; and the justices in the said next court of general or general quarter sessions are hereby authorized and required to hear and determine the matter of the said appeal, and to award such costs as to them shall appear just and reasonable, to be paid by either party, which decision shall be final; and if upon hearing the said appeal, the judgment of the justices before whom the appellant shall have been convicted shall be affirmed, such appellant shall immediately be committed by the said court to the common gaol or house of correction, without bail or mainprize, according to such conviction, and for the space of time therein mentioned, 6 G. 4. c. 129. s. 12.

15. Provided, that no justice of the peace, being also a master in the particular trade or manufacture, in or concerning which any offence is charged to have been committed under this act, shall act as such justice under this act, 6 G. 4. c. 129. s. 13.

Schedule to which 6 G. 4. c. 129. refers.—[See s. 9. *pl.* 11.]

Form of Conviction and Commitment.

Be it remembered, that on the _____ day of _____ in the _____ year of H. M.'s reign, and in the year of our Lord _____ A. B. is con-

victed before us [naming the justices] two of H. M.'s justices of the peace for the county [or riding, division, city, liberty, town, or place] of _____ of having [stating the offence] contrary to the act made in the sixth year of the reign of King George the Fourth, intituled, *An Act [here set forth the title of this act]*; and we the said justices do hereby order and adjudge the said A. B. for the said offence to be committed to and confined in the common gaol for the said county [or riding, division, city, liberty, town, or place], for the space of _____ or to be committed to the house of correction at _____ within the said county [or riding, division, city, liberty, town, or place], there to be kept to hard labour for the space of _____. Given under our hands, the day and year above written.

Form of Commitment of a Person summoned as a Witness.

Whereas C. D. hath been duly summoned to appear and give evidence before us [naming the justices who issued the summons] two of H. M.'s justices of the peace for the county [or riding, division, city, liberty, town, or place] of _____ on this _____ day of _____ at _____ being the time and place appointed for hearing and determining the complaint made by [the informer or prosecutor] before us, against A. B. of having [stating the offence as laid in the information] contrary to the act made in the sixth year of the reign of King George the Fourth, intituled, *An Act [here insert the title of this act]*; and whereas the said C. D. hath not appeared before us, at the time and place aforesaid, specified for that purpose, or offered any reasonable excuse for his [or her] default, [or and whereas the said C. D. having appeared before us, at the time and place aforesaid, specified for that purpose, hath not submitted to be examined as a witness and give his [or her] evidence before us touching the matter of the said complaint, but hath refused so to do]; therefore we, the said justices, do hereby in pursuance of the said statute commit the said C. D. to the [describing the prison], there to remain without bail or mainprize, for his [or her] contempt aforesaid, for three calendar months, or until he [or she] shall submit himself [or herself] to be examined, and give his [or her] evidence before us, touching the matter of the said complaint, or shall otherwise be discharged by due course of law: and you the [constable or other peace officer or officers to whom the warrant is directed] are hereby authorized and required to take into your custody the body of the said C. D. and him [or her] safely to convey to the said prison, and him [or her] there to deliver to the gaoler or keeper thereof, who is hereby authorized and required to receive into his custody the body of the said C. D. and him [or her] safely to detain and keep, pursuant to this commitment. Given under our hands, this _____ day of _____ in the year of our Lord _____.

[This commitment to be directed to the proper peace officer, and the gaoler or keeper of the prison.]

CONSPIRACY.

1. The bill of conspiracies of victuallers and craftsmen, 2 & 3 Ed. 6. c. 15. [Stat. Dig. tit. CONSPIRACY, pl. 6.] REP. 5 G. 4. c. 95. s. 1. See COMBINATIONS.

2. To repeal 39 G. 3. c. 81., and to substitute other provisions in lieu thereof, 39 & 40 G. 3. c. 106. AMD. 41 G. 3. (U. K.) c. 38. [Stat. Dig. this title, pl. 10.] REP., except so far as it repeals any other act, 5 G. 4. c. 96. s. 1. See LABOURERS.

CONSULS.

1. To regulate the payment of salaries and allowances to *British* consuls at foreign ports, and the disbursements at such ports for certain publick purposes, 6 G. 4. c. 87. [To commence and take effect, except where otherwise directed, from and after 1st Jan. 1826, s. 22.]

2. Whereas the provision which hath been hitherto made for the maintenance and support of the consuls general and consuls appointed by H. M. to reside within the dominions of sovereigns and foreign states in amity with H. M., out of the money applicable under the third class of H. M.'s civil list, as specified in the schedule annexed to 1 G. 4. c. 1. [Stat. Dig. tit. KING, &c. pl. 141.], intituled, *An Act for the support of H. M.'s household, and for the honour and dignity of the crown of the U. K. of G. B. and Ire.*, is inadequate to the maintenance and support of such consuls general and consuls; and it is expedient to make further and due provision for that purpose; be it therefore enacted, That it shall and may be lawful for H. M., by any order or orders to be issued by and with the advice of his privy council, to grant to all or any of the consuls general or consuls appointed by H. M. to reside within any of the dominions of any sovereign or foreign state or power in amity with H. M., such reasonable salaries as to H. M. shall seem meet, and by and with such advice as aforesaid, from time to time to alter, increase, or diminish any such salaries or salary as occasion may require, 6 G. 4. c. 87. s. 1.

3. Such salaries shall be issued and paid to such consuls general and consuls without fee or deduction: provided, that all such salaries as

aforesaid be granted for and during H. M.'s pleasure, and not otherwise, and be held and enjoyed by such consuls general and consuls as aforesaid, so long only as they shall be actually resident at the places at which they may be so appointed to reside, and discharging the duties of such their offices: provided nevertheless, that in case H. M. shall, by any order to be for that purpose issued through one of his principal secretaries of state, grant to any such consul general or consul as aforesaid leave of absence from the place to which he may be so appointed as aforesaid, such consul general or consul shall be entitled to receive the whole, or such part (as to H. M. shall seem meet), of the salary accruing due and payable during and in respect of such period of absence as aforesaid, 6 G. 4. c. 87. s. 2.

4. The salaries so to be granted by H. M. as aforesaid shall be taken and received by the said consuls general and consuls in lieu of and as a compensation for all salaries heretofore granted to them or any of them, and all fees of office and gratuities heretofore demanded, received, or taken by them of or from the masters or commanders of *British* ships and vessels, or of or from any other persons or person, for or in respect of any duties or services by such consuls general or consuls done, performed, or rendered, for or to any such masters or commanders, or other person or persons as aforesaid; and that no such consuls general or consuls as aforesaid shall, from and after the 1st Jan. 1826, be entitled for or by reason or on account of any act, matter, or thing by him done or performed in the execution of such his office, or for or on account of any service by him rendered to any masters or commanders of *British* ships or vessels, or to any other person or persons, in the execution of such his office, to ask, demand, have, receive, or take any fees, recompence, gratuity, compensation, or reward, or any sum or sums of money, save as herein-after is excepted, 6 G. 4. c. 87. s. 3.

5. Provided, that it shall and may be lawful for all consuls general and consuls appointed by H. M., and resident within the dominions of any sovereign, or any foreign state or power in amity with H. M., to accept, take, and receive the several fees particularly mentioned in the tables to this present act annexed, marked with the letters (A.) and (B.), for and in respect or on account of the several matters and things, and official acts and deeds particularly mentioned in the said schedules; and that it shall and may be lawful for H. M., by any order or orders to be by him made, by and with the advice of his privy council, from time to time, as occasion may require, to increase or diminish, or wholly to abolish, all or any of the fees aforesaid, and to establish and authorize the payment of any greater or smaller or new or additional fees or fee, for or in respect of the several matters and things mentioned in the said schedules or any of them, or for or in respect of any other matters or things to be by any such consul general or consul done or performed in the execution of such his office, 6 G. 4. c. 87. s. 4.

6. In case any consul general or consul, appointed by H. M. as aforesaid, shall, by himself or deputy, or by any person authorized thereto in his behalf, ask, demand, receive, take, or accept, for or by reason or on account of any matter or thing by him done or performed in the execution of such his office, or for or on account or under pretence or by reason of any service or duty by him rendered, done, or performed in such his office for any person whomsoever, any other or greater fee, reward, gratuity, gift, or remuneration than is mentioned and specified in the said schedule, or than shall be sanctioned and specified in or by any such order or orders in council as aforesaid, the person so offending shall forfeit and become liable to pay to H. M. any sum of sterling *British* money, not exceeding the amount of the salary of such person for one year, nor less than the twelfth part of such annual salary, at the discretion of the court in which such penalty may be recovered, and shall moreover upon a second conviction for any such offence forfeit such his office, and for ever after become incapable of serving H. M. in the same or the like capacity, 6 G. 4. c. 87. s. 5.

7. A printed copy of the tables of fees allowed by this act, or which may or shall be sanctioned or allowed by any order to be made in pursuance of this act, by H. M. in council, shall be exhibited in a conspicuous manner, for the inspection of all persons, in the custom-house in the port of London, and in all other custom-houses in the several ports and harbours of the U. K. of G. B. and Ire.; and that printed copies thereof shall, by the collector or other chief officer of customs in all such ports and harbours as aforesaid, be delivered gratuitously, and without fee or reward, to every master or commander of any ship and vessel clearing out of any such port or harbour, and demanding a copy thereof, 6 G. 4. c. 87. s. 6.

8. A copy of the said schedule or table of fees to this present act annexed, or which may be established and authorized by any such order or orders in council as aforesaid, shall be hung up and exhibited in a conspicuous place in the public offices of all consuls general or consuls appointed by H. M., in the foreign ports or places to which they may be so appointed, for the inspection of all persons interested therein; and any consul general or consul omitting or neglecting to exhibit any such copy of the said schedules in such his public office, or refusing to permit

the same to be inspected by any person interested therein, shall for every such offence forfeit and pay a sum of *British* sterling money not exceeding one half the amount of the salary of such person for one year, nor less than the twelfth part of such annual salary, at the discretion of the court in which such penalty may be recovered, 6 G. 4. c. 87. s. 7.

9. And whereas it is expedient that H. M. should be enabled to grant to the said consuls general and consuls, appointed as aforesaid, allowances in the nature of superannuation or reward for meritorious public services, be it further enacted, That all the clauses, provisions, rules, regulations, restrictions, conditions, and forfeitures contained and declared in 50 G. 3. c. 117. [*Stat. Dig. SERVICES PUBLIC. pl. 1, 2. 4—16., KING, & C. pl. 72. 85, 84.*] intituled, *An Act to direct that accounts of increase and diminution of public salaries, pensions, and allowances should be annually laid before parliament, and to regulate and controul the granting and paying of such salaries, pensions, and allowances*; and in 3 G. 4. c. 113. intituled, *An Act to amend an act passed in the fiftieth year of His late Majesty, for directing that accounts of increase and diminution of public salaries, pensions, and allowances shall be annually laid before parliament, and for regulating and controlling the granting and paying of such salaries, pensions, and allowances*; and in 5 G. 4. c. 104. [see *post, SERVICES, PUBLIC*] intituled, *An Act to amend an act of the third year of His present Majesty, respecting superannuation allowances*, shall be and the same are hereby extended to the said consuls general and consuls, so far as such clauses, provisos, rules, regulations, restrictions, conditions, penalties, and forfeitures, can be applied to the cases of such several persons respectively, as fully and effectually to all intents and purposes as if the same were repeated and re-enacted in this present act, 6 G. 4. c. 87. s. 8.

10. Provided, that if it shall at any time happen that by reason of any war which may hereafter arise between H. M. and any sovereign, or foreign state or power, within the dominions of whom any such consul general or consul as aforesaid shall be appointed to reside, he shall be prevented from residing, and shall in fact cease to reside at the place to which he may be so appointed, it shall and may be lawful for H. M., by any order to be issued by and with the advice of his privy council, to grant to any such consul general or consul, who may have served H. M. in that capacity for any period not less than three years nor more than ten years next preceding the commencement of any such war as aforesaid, a special allowance not exceeding the proportion of their respective salaries to which such consuls general and consuls would be entitled under the provisions of the 3 G. 4. c. 113., in case the period of their respective service had exceeded ten years and had not exceeded fifteen years: provided, that in case any such consul general or consul shall have served in such his office for the space of ten years and more, it shall and may be lawful for H. M., by any such order in council as aforesaid, to grant to him or them such a proportion of his or their respective salaries, which by the said recited act is authorized to be granted as a superannuation allowance, according to the several periods of service exceeding ten years, in the 3 G. 4. c. 113., 6 G. 4. c. 87. s. 9.

11. And whereas churches and chapels for the performance of divine service, according to the rites and ceremonies of the united church of *Eng. and Ire.*, or of the church of *Scot.*, have been erected, and proper grounds have been appropriated and set apart for the interment of the dead, in divers foreign ports and places, and chaplains have been appointed for the performance of divine service in the said churches and chapels, and are now resident in such foreign ports and places; and it is expedient to afford encouragement for the support of the churches and chapels so erected as aforesaid, and to promote the erection of other churches and chapels in foreign ports and places to which H. M.'s subjects may resort, and wherein they may be resident in considerable numbers, for the purposes of trade or otherwise; be it therefore enacted, That at any foreign port or place in which a chaplain is now, or shall at any future time be, resident and regularly employed in the celebration of divine service, according to the rites and ceremonies of the united church of *Eng. and Ire.*, or of the church of *Scot.*, and maintained by any voluntary subscription or rate, levied among or upon H. M.'s subjects resorting to or residing at such foreign port or place, or by any rate or duty levied under the authority of any of the acts herein-after repealed, it shall and may be lawful for any consul general or consul, in obedience to any order for that purpose issued by H. M. through one of his principal secretaries of state, to advance and pay from time to time, for and towards the maintenance and support of any such chaplain as aforesaid, or for and towards defraying the expences incident to the due celebration of divine service in any such churches and chapels, or for and towards the maintaining any such burial grounds as aforesaid, or for and towards the interment of any of H. M.'s subjects in any such burial grounds, any sum of money, not exceeding in any one year the amount which during that year may have been raised at such port or place for the said several purposes, or any

of them, by any such voluntary subscription or rate as aforesaid; and every such consul general or consul shall, once in each year, transmit to one of H. M.'s principal secretaries of state an account, made up to 31st Dec. in the year next preceding, of all the sums of money actually raised at any such port or place as aforesaid, for the several purposes aforesaid, or any of them, by any such voluntary subscription or rate as aforesaid, and of all sums of money by him actually paid and expended for such purposes, or any of them, in obedience to any such orders as aforesaid, and which accounts shall by such principal secretary of state be transmitted to the lord high treasurer, or the commissioners of H. M.'s treasury of the U. K. of *G. B. and Ire.*, for the time being, who shall give to any such consul general or consul as aforesaid credit for all sums of money not exceeding the amount aforesaid, by them disbursed and expended in pursuance of any such order as aforesaid, for the purposes before mentioned, or any of them, 6 G. 4. c. 87. s. 10.

12. In case any of H. M.'s subjects shall by voluntary subscriptions among themselves raise and contribute such a sum of money as shall be requisite for defraying one half part of the expence of erecting, purchasing, or hiring any church or chapel or building, to be appropriated for the celebration of divine service according to the rites and ceremonies of the united church of *Eng. and Ire.*, or of the church of *Scot.*, or for defraying one half part of the expence of erecting, purchasing, or hiring any building to be used as a hospital for the reception of H. M.'s subjects, or for defraying one half of the expence of purchasing or hiring any ground to be used as a place of interment for H. M.'s subjects at any foreign port or place wherein any consul general or consul appointed by H. M. shall be resident, then and in any such case it shall and may be lawful for such consul general or consul, in obedience to any order to be for that purpose issued by H. M. through one of his principal secretaries of state, to advance and pay, for and towards the purposes aforesaid, or any of them, any sum of money not exceeding in the whole in any one year the amount of the money raised in that year by any such voluntary contribution as aforesaid; and every such consul general or consul as aforesaid shall in like manner once in every year transmit to one of H. M.'s principal secretaries of state an account, made up to 31st Dec. in the year next preceding, of all the sums of money actually raised at any such port or place as aforesaid, for the several purposes aforesaid, or any of them, by any such voluntary subscription as aforesaid, and of all sums of money by him actually paid and expended for such purposes, or any of them, in obedience to any such orders as aforesaid, and which accounts shall by such principal secretary of state be transmitted to the treasury, for the time being, who shall give to such consuls general or consuls credit for all sums of money not exceeding the amount aforesaid, by him disbursed and expended in pursuance of any such order as aforesaid, for the purposes before mentioned, or any of them, 6 G. 4. c. 87. s. 11.

13. Provided, that no such order shall be issued as aforesaid through any of H. M.'s principal secretaries of state, authorizing the expenditure of money for the erection, purchase, or hiring of any such new church or chapel or hospital as aforesaid, or for the purchase or hiring of any such new burial ground as aforesaid, unless and until such consul general or consul shall first have transmitted to H. M., through one of H. M.'s principal secretaries of state, the plan of such intended church or chapel, hospital, or burial ground, with an estimate, upon the oath of some one or more competent person or persons, stating the probable expence of and incident to the erection, purchase, or hiring of any such church, chapel, hospital, or burying ground as aforesaid, and unless and until H. M. shall have signified, through one of his said principal secretaries of state, his approbation of the said plan and estimate: provided also, that no money shall actually be disbursed by any such consul general or consul as aforesaid, for any of the purposes aforesaid, unless and until the money to be raised by any such voluntary subscription as aforesaid be actually paid up and invested in some public or other sufficient security, in the joint names of such consul general or consuls and two trustees appointed for that purpose by the persons subscribing the same, or unless and until two or more of such subscribers shall enter into good and sufficient security to H. M., by bond or otherwise, that the amount of such subscriptions shall actually be paid for the purposes aforesaid, by a certain day to be specified in every such bond or security, and which bond or security shall be preserved in the office of such consul general or consul, and shall by him be cancelled and delivered back to the parties entering into the same, their heirs, executors, or administrators, when and so soon as the condition thereof shall be fully performed and satisfied, 6 G. 4. c. 87. s. 12.

14. Provided also, that the whole salary of any chaplain heretofore appointed or to be appointed to officiate in any such church or chapel in any foreign port or place in *Europe*, shall not exceed in the whole five hundred pounds by the year, or in any foreign port or place not in *Europe*, eight hundred pounds by the year: provided also, that all such chaplains shall be appointed to officiate as aforesaid by H. M.,

through one of his principal secretaries of state, and shall hold such their offices for and during H. M.'s pleasure, and no longer, 6 G. 4. c. 87. s. 15.

15. All consuls general and consuls appointed by H. M. to reside and being resident at any foreign port or place wherein any such church or chapel, or other place appropriated for the celebration of divine worship, or hospital, or any such burial ground as aforesaid, hath heretofore been or shall hereafter be erected, purchased, or hired, by the aid of any voluntary subscription or rates collected by or imposed upon H. M.'s subjects, or some person or persons for that purpose duly authorized by any writing under the hand and seal of any such consul general or consul, shall, once at the least in every year, and more frequently if occasion shall require, by public advertisement, or in such other manner as may be best adapted for insuring publicity, convene and summon a meeting of all H. M.'s subjects residing at such foreign port or place as aforesaid, to be holden at the public office of such consul general or consul, at some time, not more than fourteen days nor less than seven days next after the publication of any such summons; and it shall and may be lawful for all H. M.'s subjects residing or being at any such foreign port or place as aforesaid, at the time of any such meeting, and who shall have subscribed any sum of money not less than twenty pounds in the whole, nor less than three pounds by the year, for or towards the purposes before mentioned, or any of them, and have paid up the amount of such their subscriptions, to be present and vote at any such meetings; and such consuls general or consuls shall preside at all such meetings; and in the event of the absence of any such consuls general or consuls, the subscribers present at any such meeting shall, before proceeding to the despatch of business, nominate one of their number to preside at such meeting; and all questions proposed by the consul general, consul, or person so nominated as aforesaid to preside in his absence, to any such meeting, shall be decided by the votes of the majority in number of the persons attending and being present thereat; and in the event of the number of such votes being equally divided, the consul general, consul, or person so presiding in his absence, shall give a casting vote, 6 G. 4. c. 87. s. 14.

16. It shall and may be lawful for any such general meeting as aforesaid to make and establish, and from time to time, as occasion may require, to revoke, alter, and render such general rules, orders, and regulations, as may appear to them to be necessary for the due and proper use and management of such churches, chapels, hospitals, and burial grounds as aforesaid, or for the proper controul over and expenditure of the money raised by any such subscription as aforesaid, or otherwise in relation to the matters aforesaid, as may be necessary for carrying into execution the objects of this act, so far as relates to those matters, or any of them: provided, that no such rule, order, or regulation as aforesaid shall be of any force or effect, unless or until the same shall be sanctioned and approved by the consul general or consul for the time being, appointed by H. M. to reside and actually resident at such foreign port or place; and provided also, that the same shall, by such consul general or consul, be transmitted by the first convenient opportunity for H. M.'s approbation; and that it shall and may be lawful for H. M., by any order to be by him issued through one of his principal secretaries of state, either to confirm or disallow any such rules, orders, and regulations, either in the whole or in part, and to make such amendments and alterations in or additions to the same, or any of them, as to H. M. shall seem meet, or to suspend for any period of time the execution thereof, or any of them, or otherwise to direct or prevent the execution thereof, or any of them, in such manner as to H. M. shall seem meet; and all orders so to be issued by H. M., in relation to the matters aforesaid, through one of his principal secretaries of state, shall be recorded in the office of the said consul general or consul at the foreign port or place to which the same may refer, and shall be of full force, effect, and authority upon and over all H. M.'s subjects there resident, 6 G. 4. c. 87. s. 15.

17. And whereas it is expedient that the several acts of parliament herein-after mentioned should be repealed; be it therefore enacted, That 8 G. 1. c. 17., intituled, *An Act for the more equal paying and better collecting certain small sums therein mentioned for relief of shipwrecked mariners and distressed persons (H. M.'s subjects) in the kingdom of Portugal, and for other pious and charitable purposes usually contributed to by the merchants trading to Portugal*; and 9 G. 2. c. 25. intituled, *An Act for the more equal paying and better collecting certain small sums for relief of shipwrecked mariners and distressed persons (H. M.'s subjects) in the port of Cadiz and port of St. Mary's in the kingdom of Spain, and for other uses usually contributed to by the merchants trading to the said ports*; and 10 G. 2. c. 14. intituled, *An Act for collecting at the port of Leghorn certain small sums of money to which the merchants trading there have usually contributed for the relief of shipwrecked mariners, captives, and other distressed persons (H. M.'s subjects) and for other charitable and public uses*; and 54 G. 3. c. 126. for altering and extending the said recited act of the eighth year of the reign of King George the First,

shall be and the same are hereby repealed, 6 G. 4. c. 87. s. 16. [See these acts, *Stat. Dig. tit. WRECK, pl. 15, 16.*]

18. Every sum of money which shall be and remain in the hands of any collector or treasurer or other person, arising from any duties leviable under the several acts hereby repealed, or any of them, and which shall not have been applied to the purposes or in manner directed by the said acts respectively, shall by such collector, treasurer, or other person be paid over to the consul general or consul at the port or place where the same shall have been received; and every such sum which shall be so paid to and received by any such consul general or consul, and all other arrears of money arising from any such duties which shall be in the hands of any such consul general or consul, shall be paid, applied, and disposed of in such manner, and to and for such public purposes, as shall be directed by any one of H. M.'s principal secretaries of state, 6 G. 4. c. 87. s. 17.

19. All consuls general and consuls shall be allowed and have credit in any accounts by them rendered, through one of H. M.'s principal secretaries of state, to the treasury for the time being, for all such sums of money as shall by any such consul general or consul be disbursed and expended towards the succour and relief of mariners shipwrecked and taken in war, or other distressed persons being subjects of H. M., and resorting to the port or place at which any such consul general or consul may be appointed to reside: provided, that such sums of money be so disbursed and expended in pursuance of and in conformity to any special or general rules and regulations to be for that purpose made and prescribed by H. M. in council, by any order or orders to be by him for that purpose issued, and that an account of the particulars of all such expenditure shall by the first convenient opportunity be transmitted by such consul general or consul for H. M.'s information, through one of his principal secretaries of state, 6 G. 4. c. 87. s. 18.

20. Within six weeks next after the commencement of each session of parliament there shall be laid before both houses of parliament copies of all orders which may have been made, since the commencement of the last preceding session of parliament, by H. M., with the advice of his privy council, in pursuance of this act, together with an account of all salaries which, since the commencement of such next preceding session of parliament, may have been granted by H. M. to any consuls general or consuls, by virtue or in pursuance of this act, together with an estimate specifying the total amount of the money to be required for the payment of the salaries of all such consuls general or consuls respectively, for one year from the 5th Jan. preceding the date of such estimate, and also for all contingent charges and expences connected with the public duties and establishments of such consuls general or consuls, after deducting the amount provided on account of the payment of such consuls general or consuls out of the money applicable under the third class of H. M.'s civil list, as specified in the schedule annexed to 1 G. 4. c. 1. before [s. 1. pl. 2.] recited, 6 G. 4. c. 87. s. 19.

21. And whereas it is expedient that every consul general or consul appointed by H. M. at any foreign port or place should in all cases have the power of administering an oath or affirmation whenever the same shall be required, and should also have power to do all such notarial acts as any notary public may do; be it therefore enacted, That from and after the passing of this act [5th July 1825.], it shall and may be lawful for any and every consul general or consul appointed by H. M. at any foreign port or place, whenever he shall be thereto required, and whenever he shall see necessary, to administer at such foreign port or place any oath, or take any affidavit or affirmation from any person whomsoever, and also to do and perform at such foreign port or place all and every notarial acts and act which any notary public could or might be required and is by law empowered to do within the U. K. of G. B. and Ire.; and every such oath, affidavit, or affirmation, and every such notarial act, administered, sworn, affirmed, had or done by or before such consul general or consul, shall be as good, valid, and effectual, and shall be of like force and effect, to all intents and purposes, as if any such oath, affidavit, or affirmation, or notarial act respectively, had been administered, sworn, affirmed, had or done, before any justice of the peace or notary public in any part of the U. K. or before any other legal or competent authority of the like nature, 6 G. 4. c. 87. s. 20.

22. All penalties incurred under or imposed by this act shall and may be sued for, prosecuted and recovered by any person who may sue for the same, by action of debt, bill, plaint, or information in any of H. M.'s courts of record at Westminster, in the name of H. M.'s attorney general, wherein no essoign, protection, privilege, wager of law, or more than one imparlance, shall be allowed, 6 G. 4. c. 87. s. 21.

Tables to which 6 G. 4. c. 87. refers.—[See s. 4. pl. 5.]

TABLE (A.)

Certificate of due landing of Goods, exported from the

United Kingdom - - - - 2 Dollars.

Signature of Ships' Manifest	-	-	-	2 Dollars.
Certificate of Origin, when required	-	-	-	2 Dollars.
Bill of Health, when required	-	-	-	2 Dollars.
Signature of Muster Roll, when required	-	-	-	2 Dollars.
Attestation of a Signature, when required	-	-	-	1 Dollar.
Administering an Oath, when required	-	-	-	$\frac{1}{2}$ Dollar.
Seal of Office, and Signature of any other Document not specified herein, when required	-	-	-	1 Dollar.

TABLE (B.)

Bottomry or Arbitration Bond	-	-	-	2 Dollars.
Noting a protest	-	-	-	1 Dollar.
Order of Survey	-	-	-	2 Dollars.
Extending a Protest or Survey	-	-	-	1 Dollar.
Registrations	-	-	-	1 Dollar.
Visa of Passport	-	-	-	$\frac{1}{2}$ Dollar.
Valuation of Goods	-	-	-	1 per cent.
Attending Sales, $\frac{1}{2}$ per cent. where there has been a charge for valuing; otherwise 1 per cent.	-	-	-	
Attendance out of Consular Office at a Shipwreck, Five Dollars per diem for his personal expences, over and above his travelling expences	-	-	-	
Do. - on opening a Will	-	-	-	5 Dollars.
Management of Property of British subjects dying intestate	-	-	-	$2\frac{1}{2}$ per cent.

The dollars mentioned in the preceding tables are in all cases to be paid by the delivery of dollars, each of which is to be of the value of four shillings and six pence sterling, and no more, according to the rate of exchange prevailing at the place where such payment is made.

COOPER.

No brewer of beer or ale shall make their barrels, kilderkins, nor firkins within them; and how much the same barrels shall contain, 23 H. 8. c. 4. [REP. 5 G. 4. c. 74. s. 23. See post, WEIGHTS, &c.]

CORPORATION.

1. To repeal so much of an act passed in the sixth year of His late Majesty King George the First, as relates to the restraining several extravagant and unwarrantable practices in the said act mentioned; and for conferring additional powers upon H. M. with respect to the granting of charters of incorporation to trading and other companies, 6 G. 4. c. 91.

2. Whereas by 6 G. 1. c. 18. intituled, *An Act for better securing certain powers and privileges intended to be granted by H. M. by two charters for assurance of ships and merchandizes at sea, and for lending money upon bottomry, and for restraining several extravagant and unwarrantable practices therein mentioned*, it was enacted [by s. 18, 19, 20, 21. Stat. Dig. tit. INSURANCE, pl. 46, 47, 48, 49.], as therein mentioned: and whereas it is expedient that so much of the said recited act as is above set forth should be repealed; and that the said several undertakings, attempts, practices, acts, matters, and things aforesaid, should be adjudged and dealt with in like manner as the same might have been adjudged and dealt with according to the common law, notwithstanding the said act: be it therefore enacted, That from and after the passing of this act [5th July 1825.], so much of the said recited act as is above set forth shall be and the same is hereby repealed: provided, that nothing herein contained shall extend or be construed to extend to affect any action or suit now depending in any court of law or equity; but that every such action or suit shall and may be proceeded in, prosecuted, defended, and determined, in the same manner as if this act had not been passed, 6 G. 4. c. 91. s. 1.

3. In any charter hereafter to be granted by H. M. for the incorporation of any company or body of persons, it shall and may be lawful, in and by such charter, to declare and provide, that the members of such corporation shall be individually liable, in their persons and property, for the debts, contracts, and engagements of such corporation, to such extent, and subject to such regulations and restrictions as H. M. may deem fit and proper, and as shall be declared and limited in and by such charter; and the members of such corporation shall thereby be rendered so liable accordingly, 6 G. 4. c. 91. s. 2.

COTTON MANUFACTURES.

COTTON MANUFACTURES.

(STATUTES repealed.)

1. For preventing and settling disputes which may arise between masters and weavers engaged in the cotton manufactures in Scot., and persons employed by such weavers and persons engaged in ornamenting cotton goods by the needle, 43 G. 3. c. 151. [Stat. Dig. this title, pl. 9.] REP. 5 G. 4. c. 96. s. 1. See post, tit. LABOURERS.

2. For settling disputes that may arise between masters and workmen engaged in the cotton manufactures in Eng., 39 & 40 G. 3. c. 90. AMD. 44 G. 3. c. 87. [Stat. Dig. this title, pl. 9.] REP. 5 G. 4. c. 96. s. 1.

(STATUTE in force.)

3. To make further provisions for the regulation of cotton-mills and factories, and for the better preservation of the health of young persons employed therein, 6 G. 4. c. 63.

4. Whereas 42 G. 3. c. 73. was passed, intituled, *An Act for the preservation of the health and morals of apprentices, and others, employed in cotton and other mills, and cotton and other factories*: and 59 G. 3. c. 66. was passed, intituled, *An Act to make further provisions for the regulation of cotton-mills and factories, and for the better preservation of the health of young persons employed therein* [see both acts, Stat. Dig. tit. HEALTH, PUBLIC, pl. 11. et seq.]: and whereas it is expedient that some further provision should be made for the regulation of mills, manufactories, and buildings employed in the preparation and spinning of cotton-wool; be it therefore enacted, That from and after the 1st Aug. 1825, no person, being under the age of sixteen years, shall be employed in any description of works whatsoever, in spinning cotton-wool into yarn, or in the previous preparation of such wool, or in cleaning of any mill, manufactory, or building, or any mill work or machinery therein, for more than twelve hours in any one day, exclusive of the necessary time for meals, such twelve hours to be between the hours of five of the clock in the morning and eight of the clock in the evening, 6 G. 4. c. 63. s. 1.

5. No person under the age above-mentioned shall be worked in any cotton-mill or factory more than nine hours on a Saturday; such nine hours to be completed between the hours of five of the clock in the morning and half past four of the clock in the afternoon, 6 G. 4. c. 63. s. 2.

6. There shall be allowed to every such person, in the course of every day, not less than half an hour to breakfast, and not less than one hour for dinner; such half hour for breakfast to be between the hours of half past six and ten of the clock in the morning, and such hour for dinner to be between the hours of eleven and three of the clock in the afternoon; and during such before-mentioned half hour for breakfast, and such one hour for dinner, no such person shall be required to perform any labour or work of the nature or description above mentioned in any such mill, manufactory, or building, 6 G. 4. c. 63. s. 3.

7. Provided, that if at any time, in any such mill, manufactory, or buildings, time shall be lost in consequence of any accident happening to the steam-engine, water-wheels, or mill-gearing, then and in every such case, and so often as the case shall happen, it shall be lawful for the occupier of any such mill, manufactory, or building, to extend the before-mentioned time of daily labour, after the rate of one additional hour in any one day, until such lost time shall have been worked up during the six following days (Saturday excepted), but no longer, 6 G. 4. c. 63. s. 4.

8. Provided, that if at any time in any such mill, manufactory, or buildings as are situated upon streams of water, time shall be lost in consequence of the want of a due supply or of an excess of water, then and in every such case, and so often as the same shall happen, it shall be lawful for the occupier of any such mill, manufactory, or building, to extend the before-mentioned time of daily labour after the rate of half an hour per day, until such lost time shall have been made good, but no longer, 6 G. 4. c. 63. s. 5.

9. The ceilings and interior walls of every such mill, manufactory, or building, shall be washed with quick lime and water once in every year, 6 G. 4. c. 63. s. 6.

10. In a conspicuous part of every such mill, manufactory, or building, a copy of this act, or a full and true abstract of the regulations provided hereby, shall be hung up and affixed and signed by the proprietors, manager, or overseer of such mill, manufactory, or building; and such copy or abstract shall be kept and renewed, so that the same shall be at all times legible, 6 G. 4. c. 63. s. 7.

11. Every occupier or foreman of any such cotton-mill, manufactory, or building, who shall knowingly act contrary to or offend against any of the provisions of this act, or any of the provisions of the above recited acts, shall for every such offence forfeit and pay any sum not

exceeding twenty pounds, nor less than ten; at the discretion of the justices before whom such offender shall be convicted; one half whereof shall be paid to the informer, and the other half to the overseers of the poor in *Eng.*, to the churchwardens in *Ire.*, and to the ministers and elders in *Scot.*, of the parish or place where such offence shall be committed, to be by them applied in aid of the poor rate in *Eng.*, and for the benefit of the poor in *Ire.* and *Scot.* of such parish or place: provided, that no sum exceeding one hundred pounds in the whole shall be levied for any number of offences under this act committed in the same day in any one mill or establishment; and that all informations for offences against the said recited acts or this act shall be laid within two calendar months subsequently to the offence being committed, and not afterwards; provided also, that no person shall be prosecuted for more than one offence committed on the same day in any one mill or establishment, without the sanction and authority of the justices at quarter sessions assembled; and that all penalties inflicted by this act shall be levied and recovered in manner directed by the said [42 G. 3. c. 73.] first recited act, 6 G. 4. c. 63. s. 8.

12. Provided, that every proprietor, or occupier of any mill, manufactory, or building herein-before described, wherein children under the age above-mentioned, that is to say, sixteen years of age, are or shall be employed in spinning cotton-wool into yarn, or in the previous preparation thereof, shall provide or cause to be provided a book or books, to be kept by himself or herself, or by some person appointed by him or her, for the entry of the name of every child, previous to his or her being employed in any such mill, manufactory, or building for the purpose aforesaid, whom any such proprietor or occupier may consider under the age of nine years, together with the names of the parents or guardians of any such child; and that the signature of such parents or guardians, or one of them, when so entered in the said book or books, specifying the date of such entry, and that the said child or children is or are of, or above, the age of nine years, shall in all such cases exempt such proprietor or occupier of such mill, manufactory, or building from any prosecution under the provisions of this act, in so far as relates to the penalties imposed on persons employing children under the aforesaid age of nine years, for any of the purposes aforesaid, 6 G. 4. c. 63. s. 9.

13. Provided, that no justice of the peace, being also a proprietor or master of any cotton-mill or factory, or the father or son of any such proprietor or master, shall act as such justice under this act, 6 G. 4. c. 63. s. 10.

14. It shall be lawful for any one or more justices of the peace, before whom any such complaint and information shall be made as aforesaid, and he and they are hereby authorized and required, at the request in writing of any of the parties, to issue his or their summons to any witness to appear and give evidence before any two justices at the time and place appointed for hearing and determining such complaint, and which time and place shall be specified in such summons; or offer some reasonable excuse for the default, or appearing according to such summons, shall not submit to be examined as a witness, and give his or her evidence before such justices, touching the matter of such complaint, then and in every such case it shall be lawful for such justices, and they are hereby authorized (proof on oath, which oath either of such justices are hereby empowered to administer, in the case of any person not appearing according to such summons, having been first made before such justices of the due service of such summons on every such person, by delivering the same to him or her, or by leaving the same forty-eight hours before the time appointed for such person to appear before such justices, at the usual place of abode of such person) by warrant under the hands of such justices, in the form and to the effect of the form in the schedule to this act annexed, to commit such person so making default in appearing, or appearing and refusing to give evidence, to some prison within the jurisdiction of such justices, there to remain without bail or mainprize, for any time not exceeding two calendar months, or until such person shall submit himself or herself to be examined, and give his or her evidence before such justices as aforesaid: provided, that in case such complaint shall be heard and determined before such offender shall submit to be examined and give evidence as aforesaid, then and in every such case he, she, or they shall be imprisoned the full term of such commitment, 6 G. 4. c. 63. s. 11.

15. The justices before whom any person shall be convicted of any offence against this act, or by whom any person shall be committed to prison for not appearing as a witness, or not submitting to be examined, shall cause all such convictions, and the warrants or orders for such commitments, to be drawn up in the form or to the effect set forth in the schedule to this act annexed, 6 G. 4. c. 63. s. 12.

16. No appeal shall be allowed against any conviction under this act, 6 G. 4. c. 63. s. 13.

17. If any action shall be brought against any person, for any thing done or committed under or by virtue or in the execution of this act, such person may plead the general issue, and give this act and the

special matter in evidence; and if the plaintiff shall become nonsuited or suffer discontinuance, or forbear further prosecution, or if judgment shall be given for the defendant, such defendant shall recover his full costs, for which he shall have like remedy as in cases where costs by law are given to defendants, 6 G. 4. c. 63. s. 14.

18. All and every the powers, provisions, exemptions, penalties, forfeitures, payments, remedies, matters, and things respectively contained in the said herein-before recited acts (save and except such parts thereof as are expressly varied, altered, or otherwise provided for by this act), shall respectively be as good, valid, and effectual for carrying this act into execution, as if the same had respectively been repeated and re-enacted in the body of this act, 6 G. 4. c. 63. s. 15.

Schedule to which 6 G. 4. c. 63. refers. [See s. 12. pl. 15.]

Form of a Commitment of a Person summoned as a Witness.
[See s. 11. pl. 14.]

Whereas C. D. hath been duly summoned to appear and give evidence before us [naming the justices who issued the summons], two of H. M.'s justices of the peace for the county [or riding, division, city, liberty, town, or place] of _____ on this _____ day of _____ at _____ being the time and place appointed for hearing and determining the complaint made on the oath of [the informer or prosecutor] before us against A. B. of having [stating the offence as laid in the information], contrary to the statute made in the sixth year of the reign of His present Majesty, intituled [here insert the title of this act]: and whereas the said C. D. hath not appeared before us, at the time and place aforesaid specified for that purpose, or offered any reasonable excuse for his default [or and whereas the said C. D. having appeared before us, at the time and place aforesaid specified for that purpose, hath not submitted to be examined as a witness and give his evidence before us, touching the matter of the said complaint, but hath refused so to do] therefore we, the said justices, do hereby, in pursuance of the statute, commit the said C. D. to the [describing the prison], there to remain without bail or mainprize for his contempt aforesaid, until he shall submit himself to be examined and give his evidence before us touching the matter of the said complaint, or shall otherwise be discharged by due course of law; and you the [constable or other peace-officer or officers to whom the warrant is directed], are hereby authorized and required to take into your custody the body of the said C. D. and him safely to convey to the said prison, and him there to deliver to the gaoler or keeper thereof, who is hereby authorized and required to receive into his custody the body of the said C. D., and him safely to detain and keep, pursuant to this commitment. Given under our hands, this _____ day of _____ in the year of our Lord _____.

[This commitment to be directed to the proper peace-officer, and the gaoler or keeper of the prison.]

COUNTY RATE (Mortgage of), See GAOLS.

COURTS (CHANCERY).

1. To amend 41 G. 3. (U. K.) c. 90. [ss. 5, 6. Stat. Dig. tit. COURTS (CHANCERY), pl. 72.] for the better administration of justice in G. B. and *Ire.*, 5 G. 4. c. 111.

2. Whereas by 41 G. 3. (U. K.) c. 90. s. 6. it is enacted, that in all cases where in any suit between party and party any decree shall be pronounced, or any order made for payment or for accounting for money by the high court of chancery in that part of the U. K. called *Ire.*, the lord chancellor, lord keeper, or lords commissioners for the custody of the great seal of *Ire.* for the time being respectively, shall, upon application made to him or them respectively, cause a copy of such order or decree to be exemplified and certified to the court of chancery in that part of the U. K. called *Eng.*, under the great seal of *Ire.*; and the lord chancellor, lord keeper, or lords commissioners for the custody of the great seal of *Eng.*, shall forthwith cause such order or decree, when it shall be prescribed to them respectively, so exemplified, to be enrolled in the rolls of the high court of chancery in *Eng.*, and shall cause process of attachment and commitment to issue against the person of the party against whom such order or decree shall have been made respectively, in order to enforce obedience to and performance of the same, as fully and effectually to all intents and purposes as if such order or decree had been originally pronounced in the said court of chancery in *Eng.*; and it shall and may be lawful to and for the lord chancellor, lord keeper, or lords commissioners of the great seal of *Eng.* for the time being, from time to time to make orders upon petition, as the occasion may require, for payment of money levied under such process as aforesaid into the bank of *Eng.*, with the privity of the accountant-general of the said court, to the credit and for the benefit of the party who shall have obtained such order or decree; and the governor and company of the bank of

Eng. are by the said act authorized and required to receive and hold all such monies, subject to the orders of the said court of chancery; provided, that no such monies shall be charged with or subject to poundage when the same shall be paid out by order of the said court: and whereas similar provisions are contained in the said act [*viz. s. 5. Stat. Dig. this title, pl. 72.*] respecting the execution in *Ire.* of decrees and orders made by the high court of chancery in *Eng.*, not only in any suit between party and party, but also in any matter or proceeding by petition in cases of minors, bankrupts, idiots, and lunatics; and that it is expedient that the provisions of the said act should be extended to orders in any matter or proceeding in *Ire.* by petition in cases of minors, bankrupts, idiots, or lunatics; it is therefore enacted, That after the passing of this act [24th June 1824.], on any order for payment or for accounting for money pronounced by the high court of chancery, or by the lord chancellor, lord keeper, or lords commissioners for custody of the great seal, or master of the rolls in *Ire.*, in any matter or proceeding by petition in cases of minors, bankrupts, idiots, or lunatics, it shall be lawful for the party obtaining the same to take such proceeding to enforce obedience to and performance of the same in *Eng.*, as in and by the said act is enacted of and concerning decrees and orders pronounced by the said court of chancery in *Ire.*, in any suit pending between party and party; and all such enactments, advantages and provisions, as are by the said act enacted and provided touching and respecting decrees of the court of chancery in *Ire.*, in any suit between party and party, shall be and the same are hereby enacted and extended to all orders made by the said court of chancery, or the lord chancellor, lord keeper, or lords commissioners of the great seal, or master of the rolls in *Ire.*, for payment or for accounting for money in any matter or proceeding by petition in cases of minors, bankrupts, idiots, or lunatics, to all intents and purposes, as if such orders in cases of minors, bankrupts, idiots, or lunatics, had been particularly stated and mentioned in the said act, 5 G. 4. c. 111.

3. To render valid certain decrees and orders at the rolls court, 6 G. 4. c. 93.

4. Whereas by divers letters patent under the great seal of G. B., made and issued during the reign of His late Majesty King George the Third, and also since his decease, certain of the justices of H. M.'s courts of K. B. and C. P., and of the barons of H. M.'s court of exchequer, and others associated with them, have been assigned, and power has been given to a certain number of them, in the absence of the lord chancellor or lord keeper for the time being of that part of the U. K. of G. B. and *Ire.* called G. B., to hear and examine all matters, causes, and petitions whatsoever depending in the king's chancery, between H. M.'s liege subjects or others whomsoever, and the same finally to determine, and to cause due execution to be done thereupon: and whereas such commissions were founded upon ancient and continued usage: and whereas divers of the justices and others assigned by the said commissions to hear and determine the matters, causes, and petitions aforesaid, have, in conformity with the practices and usages of their predecessors in similar commissions, upon various occasions sat at the rolls court during the illness or absence of the master of the rolls for the time being, and heard and examined and determined divers matters, causes, and petitions depending in the king's said chancery, and set down to be heard at the said rolls court: and whereas it hath been doubted whether such justices and others had power under such commissions as aforesaid to hear, examine and determine any of the matters, causes, and petitions aforesaid; but it is expedient that all acts done in the supposed exercise of the powers aforesaid should be confirmed: and whereas the name of the late chief baron Richards, was included in the several commissions which issued as aforesaid whilst he was a puisne baron of the court of exchequer, but when he was appointed chief baron of that court, his name was omitted in all subsequent commissions, according to ancient usage; but nevertheless the said chief baron Richards, after his name had been so omitted in such commissions as aforesaid, heard, examined, and determined divers matters, causes, and petitions at the rolls, in conjunction with certain others of the persons named in the said commission, as if his name had been still contained in such commissions: be it therefore enacted, That all decrees, decretal and other orders, at any time during the reign of His late Majesty King George the Third, or during the reign of His present Majesty, made and pronounced at the rolls court in the absence of the master of the rolls, and all other acts and things done at the court aforesaid, in the supposed exercise of any of the powers aforesaid, and all acts done in the execution or performance of any such decrees or orders, shall have and be of as great and the like validity, effect, efficacy, force, and virtue, as if such decrees, decretal and other orders and all other acts and things, had respectively been heard, made, pronounced, determined, done, and executed by the master of the rolls for the time being in whose place or for whom any of such

justices and others sat as aforesaid; and the same shall and may be enforced, executed, enrolled, re-heard, or appealed from in the same manner as if they respectively were decrees or orders of the master of the rolls in whose time they were pronounced: provided, that this act shall not extend to any decree or order made or pronounced as aforesaid, where the cause, petition, motion, or matter wherein or whereupon the same was made or pronounced as aforesaid has been actually reheard before the beginning of this present session of parliament, in consequence of the invalidity of the decree or order made or pronounced thereon as aforesaid, 6 G. 4. c. 93.

5. For consolidating and amending the laws relating to conveyances and transfers of estates and funds vested in trustees, who are infants, idiots, lunatics, or trustees of unsound mind, or who cannot be compelled or refuse to act; and also the laws relating to stocks and securities belonging to infants, idiots, lunatics, and persons of unsound mind, 6 G. 4. c. 74.

6. Whereas 7 A. c. 19. [*Stat. Dig. tit. GUARDIAN, &c. pl. 16, 17.*] intituled, *An Act to enable infants who are seised or possessed of estates in fee, in trust, or by way of mortgage, to make conveyances of such estates:* and whereas 4 G. 3. c. 16. [*Stat. Dig. tit. GUARDIAN, &c. pl. 18, 19.*] intituled, *An Act to enable infants who are seised of lands, tenements, or hereditaments within the duchy of Lancaster, or the counties palatine of Chester, Lancaster, or Durham, or the principality of Wales, in fee, or for the life or lives of one or more other person or persons in trust, or by way of mortgage, to make conveyances of such estates by order of the court of the duchy chamber of Lancaster, of the court of exchequer of the county palatine of Chester, of the court of chancery of the county palatine of Lancaster, of the court of chancery of the county palatine of Durham, and of the courts of great sessions in the principality of Wales:* and whereas 4 G. 2. c. 10. [*Stat. Dig. tit. IDIOT, &c. pl. 5—7.*] intituled, *An Act to enable idiots and lunatics who are seised or possessed of estates in fee, or for lives or terms of years, in trust or by way of mortgage, to make conveyances, surrenders, or assignments of such estates:* and whereas 1 & 2 G. 4. c. 114. [*Stat. Dig. tit. IDIOT, &c. pl. 8, 9.*] intituled, *An Act for the conveyance, surrender, and assignment of estates in fee, for lives or terms of years, which shall be vested in trust, or by way of mortgage, in idiots and lunatics, not having been found such by inquisition:* and whereas 36 G. 3. c. 90. [*Stat. Dig. tit. STOCK, &c. pl. 21.*] intituled, *An Act for the relief of persons equitably and beneficially entitled to or interested in the several stocks and annuities transferrable at the bank of Eng:* and whereas 52 G. 3. c. 32. [*Stat. Dig. tit. STOCK, &c. pl. 22—29.*] intituled, *An Act for the relief of infant suitors in courts of equity, entitled to stock or annuities in any of the public or other funds, transferrable at the bank of Eng:* and whereas 52 G. 3. c. 158. [*Stat. Dig. tit. STOCK, &c. pl. 22—29.*] intituled, *An Act to extend the provisions of an act passed in the thirty-sixth year of the reign of His present Majesty for the relief of persons equitably entitled to stocks and annuities transferrable at the bank of Eng., and of an act passed in the present session, for the relief of infant suitors entitled to the like stocks and annuities, to all other transferrable stocks and funds:* and whereas 57 G. 3. c. 39. [*Stat. Dig. tit. STOCK, &c. pl. 30.*] intituled, *An act to extend certain provisions of the acts of the thirty-sixth and fifty-second years of the reign of His present Majesty, to matters of charity and friendly societies:* and whereas 1 & 2 G. 4. c. 15. intituled, *An Act to authorize the transfer of stocks and payment of dividends of lunatics residing out of Eng.,* were passed: and whereas it is expedient that the provisions of the said recited acts should be consolidated and amended; be it therefore enacted, That the said several recited acts shall be and the same are hereby repealed; save only and except as to such proceedings under any of such recited acts respectively as shall have been commenced before the passing of this act, and which shall and may be continued and proceeded in under the authority of and according to the provisions in the said recited acts respectively, or under the authority of and according to the provisions in this act, as shall be most expedient, 6 G. 4. c. 74. s. 1.

7 When and so often as any person or persons seised or possessed of any lands, tenements, or hereditaments, or other property, or any estate or interest therein, upon any trust or trusts, or by way of mortgage, shall be under the age of twenty-one years, it shall be lawful for such infant or infants, by the direction of the court of chancery or exchequer, or if such lands, tenements, or hereditaments be situate within the duchy of Lancaster, or the counties palatine of Chester, Lancaster, and Durham respectively, or the principality of Wales, by the direction of the court of the duchy chamber of Lancaster, of the court of exchequer of the county palatine of Chester, the court of chancery of the county palatine of Lancaster, the court of chancery of the county palatine of Durham, and the several courts of great sessions in Wales respectively, to convey, release, surrender, assign, or otherwise assure such lands, tenements, or hereditaments, or property, or estate, or interest therein, to such per-

son or persons, and in such manner as the said courts respectively shall think proper and direct; and every such conveyance, release, surrender, assignment, or assurance shall be as valid and effectual, to all intents and purposes, as if the said person or persons, being an infant or infants, were at the time of executing the same of the full age of twenty-one years, 6 G. 4. c. 74. s. 2.

8. When and so often as any person seised or possessed of any lands, tenements, or hereditaments, or other property, or any estate or interest therein, upon any trust or trusts, or by way of mortgage, shall be idiot, lunatic, or of unsound mind, it shall be lawful for the committee or committees of such person, or any person or persons to be appointed as herein-after is mentioned, in the name of such person, being idiot, lunatic, or of unsound mind, by the direction of the lord chancellor of G. B. or the lord keeper or commissioners of the great seal of G. B. being intrusted by virtue of the king's sign manual with the care and commitment of the custody of the persons and estates of persons found lunatic, idiot, or of unsound mind, to convey, release, surrender, assign, or otherwise assure such lands, tenements, hereditaments, or property, or estate, or interest, to such person or persons, and in such manner as the lord chancellor, &c. shall think proper and direct; and every such conveyance, release, surrender, assignment, or assurance shall be as valid and effectual to all intents and purposes as if the person being idiot, lunatic, or of unsound mind, had been, at the time of the execution thereof, of sane mind, memory, and understanding, and had by himself executed the same, 6 G. 4. c. 74. s. 3.

9. When and so often as the person seised or possessed as aforesaid, being idiot, lunatic or of unsound mind, shall not have been found such by inquisition, it shall be lawful for the said chancellor, &c. to order or appoint such person as to the said lord chancellor, &c. shall seem meet, on behalf of the person being idiot, lunatic, or of unsound mind (but not having been found such by inquisition), to convey, release, surrender, assign, or otherwise assure such lands, tenements, hereditaments, or property, or estate or interest, as herein-before is mentioned, 6 G. 4. c. 74. s. 4.

10. When and so often as any person seised or possessed of any lands, tenements, or hereditaments, or other property, or any estate or interest therein, upon any trust or trusts, or by way of mortgage, shall be out of the jurisdiction of or not amenable to the process of the court of chancery or exchequer, or it shall be unknown or uncertain whether he be living or dead, or such person shall refuse to convey or otherwise assure such lands, tenements, hereditaments, or property, or estate or interest, to the person or persons entitled thereto, or as he shall direct, or to a new trustee or trustees duly appointed by virtue of some power or authority, or by the court of chancery or exchequer, either alone or together with any continuing trustee or trustees, as occasion shall require, then and in every or any such case it shall be lawful for the court of chancery or exchequer to appoint such person or persons as to such court shall seem meet, on behalf and in the name or names of the person seised or possessed as aforesaid, to convey, surrender, release, assign, or otherwise assure the said lands, tenements, hereditaments, or property, or estate or interest, to such person or persons, and in such manner as the said court shall think proper and direct; and every such conveyance, release, surrender, assignment, or assurance shall be as valid and effectual to all intents and purposes, as if the person, being out of the jurisdiction or not amenable to the process of the said courts, or not known to be alive, or having refused, had by himself executed the same, 6 G. 4. c. 74. s. 5.

11. When and so often as any stocks, funds, annuities, or securities, transferrable in the books of the governor and company of the bank of Eng. or of the South Sea company, or the united company of merchants of Eng. trading to the E. I., or any other company or society established or to be established, shall be standing in the name of or otherwise vested in any person or persons as trustee or trustees, or the legal personal representative of a trustee or trustees, who shall be idiot, lunatic, or of unsound mind, either alone or jointly with any other trustee or representative, it shall be lawful for the chancellor, lord keeper, or commissioners of the great seal of G. B. intrusted as aforesaid (whether such trustee shall or shall not have been found idiot, lunatic, or of unsound mind by inquisition), to order and appoint such person as to the said lord chancellor, &c. shall seem meet, being an officer of such company or society, to transfer or join with the other trustee or trustees, representative or representatives (if any), in transferring such stocks, funds, annuities, or securities, to or into the name or names of such person and persons, and in such manner as the said lord chancellor, &c. shall think proper and direct; and also to order any person or persons appointed as aforesaid to receive and pay over the interest, dividends, or annual produce of such stocks, funds, annuities, and securities, in such manner as the said lord chancellor, &c. shall direct; and every such transfer, receipt, and payment shall be as valid and effectual as if the trustee or trustees, representative or representatives, being idiot, lunatic, or of unsound mind, had been of sane mind, memory, and understand-

ing, and had by himself, herself, or themselves transferred, received, and paid such stocks, funds, annuities, or securities, or interest, dividends, and annual produce, 6 G. 4. c. 74. s. 6.

12. When and so often as any stocks, funds, annuities or securities, transferrable as aforesaid, shall be standing in the name of or otherwise vested in any person or persons as a trustee or trustees, or the legal personal representative of a trustee or trustees, who shall be out of the jurisdiction of, or not amenable to the process of the court of chancery or exchequer, or it shall be unknown or uncertain whether such person or persons be living or dead, or such person or persons shall refuse to transfer such stocks, funds, annuities or securities, or receive and pay over the dividends thereof, to the person or persons entitled thereto, or as he, she, or they shall direct, or to a new trustee or trustees, duly appointed by virtue of some power or authority, or by the court of chancery or exchequer, either alone or together with any continuing trustee or trustees (as occasion shall require), then and in every such case it shall be lawful for the court of chancery or exchequer to appoint such person or persons as to the said court shall seem meet, being an officer of such company or society, to transfer or join with the other trustee or trustees, representative or representatives (if any), in transferring such stocks, funds, annuities, or securities, to, or into the name or names of such person or persons, and in such manner as such court of chancery or exchequer shall think proper and direct, and also to order any person or persons appointed as aforesaid, to receive and pay over the interest, dividends, or annual produce of such stocks, funds, annuities and securities, in such manner as the said court of chancery or exchequer shall direct; and every such transfer, receipt, and payment, shall be as valid and effectual as if the trustee or trustees, representative or representatives, had by himself, herself, and themselves, transferred, received, and paid such stocks, funds, annuities or securities, or interest, dividends, and annual produce, 6 G. 4. c. 74. s. 7.

13. Every direction, order, or appointment to be made in pursuance of this act by the court of chancery or exchequer, or by any other court herein-before mentioned, or by the lord chancellor, &c. shall be signified by an order to be made upon the petition of such person or persons as herein-after is mentioned; (that is to say,) if the same shall relate to a conveyance or other assurance, or transfer to any person or persons beneficially entitled, then upon the petition of the person or persons beneficially entitled to the lands, tenements, hereditaments, stocks, funds, annuities, securities, or property, or estate or interest to be conveyed, assured, or transferred; and if the same shall relate to a conveyance or other assurance or transfer, in order to vest any lands, rents, hereditaments, property, stocks, funds, annuities or securities, in a new trustee or trustees duly appointed by virtue of some power or authority, or by the court of chancery or exchequer, either alone or together with any continuing trustee or trustees, then upon the petition of the trustee or trustees in whom the same shall be proposed to be vested, or some or one of them; and if the same shall relate to the conveyance or other assurance of an estate in mortgage, then upon the petition of the person or persons entitled to the equity of redemption thereof, or some or one of the person or persons entitled to the monies thereby secured, or some or one of the guardian or guardians of the person or persons entitled to such monies, if an infant or infants, or the committee or committees of such person or persons, if idiot, lunatic, or of unsound mind, 6 G. 4. c. 74. s. 8.

14. All and every person and persons being an infant or infants, and all and every person and persons being idiot, lunatic, or of unsound mind, or the committee or committees of any such person or persons, and all and every the person or persons who shall be appointed by virtue of this act, shall and may be empowered and compelled, by the order to be obtained as herein-before is mentioned, to make such conveyance or conveyances, or other assurance or assurances, or transfer or transfers, payment or payments as aforesaid, in like manner as trustees of full age and of sane mind, memory, and understanding, are compellable to convey, or otherwise assure or transfer, and pay over their trust estates or funds, 6 G. 4. c. 74. s. 9.

15. The several provisions herein-before contained shall extend and be construed to extend to cases in which a trustee or trustees may have some beneficial estate or interest in the lands, tenements, hereditaments, property, stocks, funds, annuities, or securities vested in him, her, or them as aforesaid, and also to cases in which the trustee or trustees may have some duty or duties to perform, so as to enable conveyances and other conveyances and transfers to be made, in order to vest any lands, tenements, hereditaments, property, stocks, funds, annuities, or securities in a new trustee or trustees, duly appointed in the place of such trustee or trustees, by virtue of some power or authority, or by the court of chancery or exchequer, either alone or jointly with any continuing trustee or trustees (as the case may require), 6 G. 4. c. 74. s. 10.

16. The provisions herein-before contained shall extend and be construed to extend to all cases of petitions in which the court of chan-

cery, or the lord chancellor, &c. or the master of the rolls, or the vice-chancellor of *Eng.* or the court of exchequer, are by law authorized and empowered to grant relief and make summary orders without suit, either in matters of charity, or relative to or for the better security, or for the application, receipt, payment, or transfer of any of the funds thereof, or in matters relative to any benefit or friendly societies, or for the better security, or for the application, receipt, payment, or transfer of any of the funds thereof, 6 G. 4. c. 74. s. 11.

17. It shall be lawful for the court of chancery or exchequer, by an order to be made on the petition of the guardian or guardians, or next friend of any infant in whose name any stocks, funds, annuities, or securities transferrable, or which shall or may hereafter be made transferrable in the books of the governor and company of the bank of *Eng.* or of any other company or society established or to be established, shall be standing, or in whose name any sum or sums of money shall be standing in virtue of any act or acts of parliament for paying off any such fund, annuity, or security, and who shall be beneficially entitled thereto, to order and direct all or any part of the interest, dividends, and annual produce due or to become due in respect of such stocks, funds, securities, or annuities, or any such sum or sums of money, to be paid to any guardian or guardians of such infant or infants respectively, or to any other person or persons, according to the discretion of such courts respectively, to or for the maintenance and education, or otherwise for the use and benefit of such infant or infants, such guardian or guardians, or other person or persons to whom such payments shall be directed to be made, being named in the order directing such payment; and the receipt, acquittance, or discharge of such guardian or guardians, or other person or persons so named for such dividend or dividends, or sums of money so ordered and directed to be paid to them, or any part thereof, shall be as valid and effectual, to all intents and purposes, to and for the said company or persons paying the same, against such infant or infants to whom such dividend or dividends, or sums of money, have been or shall be due and belong, his, her, or their executors, administrators, or assigns, as if such receipt, acquittance, or discharge had been actually signed by such infant or infants, after he, she, or they had actually attained the age of twenty-one years, and were capable by law of signing and giving the same, 6 G. 4. c. 74. s. 12.

18. When and so often as any stocks, funds, annuities, or securities transferrable as aforesaid, shall be standing in the name or names of, or shall be vested in any person or persons being idiot, lunatic, or of unsound mind, who shall be beneficially entitled thereto, or any such stocks, funds, annuities, or securities shall be standing in the name or names of, or otherwise vested in any person or persons being committee or committees of the estate of a person found idiot, lunatic, or of unsound mind, in trust for, or as part of his or her property, and such committee or committees shall have died intestate, or shall reside out of the jurisdiction of the court of chancery or exchequer, or shall himself, herself, or themselves become lunatic or of unsound mind, or it shall be uncertain or unknown whether such committee or committees be living or dead, then and in every or any such case, it shall be lawful for the lord chancellor, &c. upon petition or motion of the committee or committees of the estates of the person or persons being idiot, lunatic, or of unsound mind, to appoint and order such person as to such lord chancellor, &c. shall seem meet, being an officer of such company or society, to transfer such stocks, funds, annuities, or securities, to or into the name of any new committee or committees or otherwise, and also to receive and pay over the dividends thereof, in such manner as the lord chancellor, lord keeper or commissioners of the great seal of *G. B.* intrusted as aforesaid, shall think proper and direct; and that such transfers and payments shall be valid and effectual to all intents and purposes whatsoever, 6 G. 4. c. 74. s. 13.

19. When and so often as any stocks, funds, annuities or securities, transferrable as aforesaid, shall be standing in the name of, or vested in any person residing out of *Eng.*, it shall be lawful for the lord chancellor, &c. upon petition and proof being made to his or their satisfaction, that such person has been declared lunatic or of unsound mind, and that his or their personal estate has been vested in a curator or curators, or other person or persons appointed for the management thereof, according to the laws of the place where such person shall reside, to order and appoint such person, being an officer of such company or society, as such lord chancellor, &c. shall deem meet, to transfer such stock, funds, annuities, or securities, or any part or parts thereof, into the name or names of any such curator or curators, or other such person or persons as aforesaid, or otherwise; and also to receive and pay over the interest, dividends, and annual produce thereof, as the lord chancellor, &c. or trustees as aforesaid, shall think fit and direct; and that such transfers and payments shall be valid and effectual to all intents and purposes whatsoever, 6 G. 4. c. 74. s. 14.

20. Provided that in all cases in which orders shall be made by any of the courts aforesaid, for the transfer of stocks or funds transferrable at the bank of *Eng.*, the persons to be named in such orders respect-

ively for making such transfers shall be the secretary, deputy secretary, or accountant-general of the governor and company of the bank of *Eng.* for the time being, or one of them, except in cases where one or more of the trustees, in whose names such stocks or funds shall stand, shall be ordered to transfer the same without the concurrence of any other or others of such trustees; any thing herein contained to the contrary thereof in anywise notwithstanding, 6 G. 4. c. 74. s. 15.

21. This act shall be and is hereby declared to be a full and complete indemnity and discharge to the governor and company of the bank of *Eng.*, the *South Sea* company, the *East India* company, and all other companies and societies, and their officers and servants, for all acts and things done or permitted to be done pursuant thereto; and that such acts and things shall not be questioned or impeached in any court of law or equity, to their prejudice or detriment, 6 G. 4. c. 74. s. 16.

22. The court of chancery or exchequer, lord chancellor, &c. may order the costs, charges and expences of and relating to the petitions, orders, appointments, conveyances, or other assurances and transfers to be made in pursuance of this act, or any of them, to be paid and raised out of or from the lands, tenements, and hereditaments, stocks, funds, annuities, and securities, or the rents, issues, dividends, and annual produce in respect of which the same respectively shall be made, in such manner as the said court, lord chancellor, &c. shall think proper, 6 G. 4. c. 74. s. 17.

COURTS (COMMON PLEAS).

1. To abolish the sale of offices in the court of C. P. in *Eng.* to make provision for the lord chief justice of the said court, and to grant an additional annuity to the said lord chief justice on resignation of his office, 6 G. 4. c. 83.

2. Whereas the several offices of chief and third prothonotaries, clerk of the king's silver, clerk of the jurata, clerk of the essoigns, clerk of the warrants, enrolments and estreats, exigenter, clerk of the supersedeas, filacers for all the counties in *Eng.* and clerk of the errors in the exchequer chamber, are appointed by the lord chief justice of the C. P., and are saleable by him, as and when the same from time to time become vacant: and whereas the offices of second prothonotary and clerk of the juries are appointed by the said lord chief justice, on the nomination of the custos brevium, for which last-mentioned appointment the said lord chief justice has been deemed entitled to, and has always received, whenever such appointments have been made, certain fees: and whereas each of the three prothonotaries of the said court has the appointment of one secondary: and whereas the said several offices are held for the respective lives of the persons now holding the same, and the emoluments thereof are derived entirely from the fees payable by the suitors of the same court; and some of such offices are and for many years past have been executed by deputy; and the emoluments of some others thereof which are executed in person, are greater than the nature and duties thereof, considered apart from other circumstances relating thereto, would require: and whereas it is expedient to abolish the sale of all such of the said offices as are now saleable, whereby a more equal provision may be made for maintaining the honour and dignity of the office of the lord chief justice of the same court, and a fund may be hereafter raised which may be applied towards the payment of the salaries of the chief justice and other judges of the same court, in ease of the public revenue: and whereas the duties of the first and third prothonotary might be well discharged by one person, and the duties of secondary to the first prothonotary and secondary to the third prothonotary might also be discharged by one person, and by thus reducing the number of officers, the fund which might be hereafter raised for the benefit of the public may be considerably increased: be it therefore enacted, that the said offices of chief and third prothonotaries, clerk of the king's silver, clerk of the jurata, clerk of the essoigns, clerk of the warrants, enrolments and estreats, exigenter, clerk of the supersedeas, filacers for all the counties in *Eng.* and clerk of the errors in the exchequer chamber, shall be disposed of, and all appointments to the said respective offices, as they may respectively become vacant, shall be made according to the directions of this act, and not otherwise; and all and every the persons to be so appointed to the said several offices, shall continually execute the same in person, and not by deputy, unless for some reasonable cause to be allowed as herein-after mentioned; and every such officer and his deputy to be appointed according to the directions of this act, shall be deemed and taken to be a public accountable officer, to all intents and purposes, and shall severally account for the fees and emoluments of his office, according to the directions of this act, 6 G. 4. c. 83. s. 1.

3. All appointments to the several offices to be made by virtue of this act shall be made by the lord chief justice of the said court for the

time being, by warrant under his hand and seal, without any fee, gratuity, or reward, to be directly or indirectly paid to or received for the same by the lord chief justice or any judge of the said court; and every such appointment, except the appointment of the filacers, shall be made, and shall be in such warrant expressed to be made, during the good behaviour of the person appointed, and for so long time only as the person appointed shall execute the same in person: provided, that no such office shall be vacated by reason of the officer's not executing his office in person, if he shall execute the same by some deputy to be appointed by virtue of this act, nor in cases of occasional illness, nor other like necessary cause of absence, not continuing more than two months at any one time, 6 G. 4. c. 83. s. 2.

4. If any person to be appointed by virtue of this act shall demean himself in any manner contrary to the true intent and meaning hereof, or otherwise misbehave himself, it shall be lawful for the said court to hear and decide upon such misbehaviour, and also to hear and determine all complaints that may be made against such person, in a summary way, and by rule of the same court to order compensation to be made to any person injured by such misbehaviour; or to fine such offender, or make void his appointment, or punish the offender by all or any of the ways aforesaid, as to such court in its discretion shall seem fit, 6 G. 4. c. 83. s. 3.

5. Provided, that in case any officer to be appointed by virtue of this act shall, by ill-health or other infirmity, become incapable of discharging the duties of his said office, or shall for any other reasonable cause, to be allowed by the said lord chief justice, be desirous of being relieved from the discharge of the duties thereof, either permanently or for a certain time only, it shall and may be lawful for the said lord chief justice to appoint some fit and proper person to act as a deputy of such officer; the cause of such appointment being always distinctly mentioned and specified in the warrant of such appointment, 6 G. 4. c. 83. s. 4.

6. It shall and may be lawful for the lord chief justice of the said court, and the treasury for the time being, and they are hereby required, by some writing under their respective hands, to ascertain for and allow to every officer and deputy to be appointed by virtue of this act, for himself, his clerks and assistants, and the expences of his office, such part or parts of the fees and emoluments lawfully belonging to his office, as to them shall seem reasonable, and from time to time to alter and vary the same as occasion may require; and every officer and deputy to be so appointed shall demand and receive all and every the fees and emoluments lawfully belonging to his said office, whether the same have been heretofore received by or deemed to belong to the principal officer or his deputy or deputies, and no more or other fees, emoluments, or perquisites whatsoever; and shall retain thereout for his own use, and in case of a deputy for the use also of his principal, such part or parts thereof and no more as shall and may have been from time to time so ascertained and allowed as aforesaid; and shall duly account for all sums received and paid in manner herein-after directed, 6 G. 4. c. 83. s. 5.

7. Every officer and deputy to be appointed by virtue of this act shall keep one or more book or books, and shall cause to be duly and regularly entered therein every sum of money by him received and paid, and shall submit the same to the inspection of the said lord chief justice, and of the said treasury, whenever he shall be thereto required; and shall also, within one month after the end of every term, render a true and faithful account in writing (to be verified on oath if required), to the treasury for the time being, of all sums of money by him received and retained or paid, up to the last day inclusive of the term next immediately preceding the rendering of such account; and shall also within the same period pay over the balance of such account (if any) into the receipt of H. M.'s exchequer: provided, that if upon the examination of any such account, it shall appear to the said treasury, that any unreasonable or improper charge or deduction has been made therein, the same shall be disallowed by the treasury; and the amount of every sum of money so disallowed shall, within ten days after such disallowance thereof shall be notified to such officer or deputy, be paid by him into the receipt of H. M.'s exchequer; and the said treasury shall cause copies of all such accounts to be laid before each house of parliament at the commencement of the session of parliament next after the rendering thereof; and all sums so paid into the receipt of the exchequer shall be carried to the credit of the consolidated fund, a separate account being kept thereof: provided, that no lands, tenements, or hereditaments of any officer or person who, by virtue of this act, may be required to pay any sum of money which would otherwise be payable to the said lord chief justice, shall by reason thereof be charged with any such sum of money, or be deemed subject or liable to the payment thereof, or to answer or make good the same, 6 G. 4. c. 83. s. 6.

8. Whenever any deputy shall be appointed, and any portion of the fees and emoluments of office shall be directed to be allowed and paid to the principal officer in pursuance of this act, such portion shall be

duly paid over to the principal before the rendering of the account hereby required, next after the time when such portion shall become payable, and a proper receipt for the same shall be exhibited at the time of rendering such account; and no principal officer shall be deemed answerable or accountable for any sum of money received by any such deputy as aforesaid, 6 G. 4. c. 83. s. 7.

9. And whereas it will be necessary to make due provision for the maintenance for the honour and dignity of the office of lord chief justice of the said court, in lieu of the fees and valuable patronage hitherto enjoyed by the person from time to time filling the said office, and which will be taken away by this act; and it is further expedient that the lord chief justice of the said court should receive a salary, to be fixed by parliament, in lieu of all pecuniary fees and emoluments now received by him; be it therefore enacted, That the annual salary of the lord chief justice of the said court for the time being, shall be the sum of eight thousand pounds, to be computed and commence, in the case of the present lord chief justice, from the beginning of the quarter current at the time of the passing of this act; and to commence and be computed, in the case of every succeeding lord chief justice, from the death or resignation of his immediate predecessor, in like manner as if his patent or appointment bore date the day next subsequent to the day of the death or resignation of his predecessor; and that there shall be issued and paid and payable, out of and charged and chargeable upon the consolidated fund (after paying and reserving sufficient to pay all such sum and sums of money as have been directed by any former act of parliament to be paid out of the same, but with preference to all other payments which shall or may hereafter be charged upon or payable out of the said fund), to the present lord chief justice of the said court, and to his successors, as an augmentation of his and their salary, and in lieu of all fees and pecuniary profits belonging to the said office, so much money as will make the salary usually received by the lord chief justice of the said court for the time being, from the civil list, after deducting from the amount of such last-mentioned salary all land tax, pension duty, and other duties and fees charged upon the same or upon the said lord chief justice in respect of his office, and also all sums of money paid by the said lord chief justice for rolls, books, or dockets provided for the use of the officers of the said court, or of the suitors thereof, according to ancient and present usage, the annual sum of eight thousand pounds herein-before mentioned; which said sums, to be issued in pursuance of this act, shall from time to time henceforth be paid and payable quarterly, free and clear from all taxes, fees, and deductions whatsoever, on the 5th Jan., the 5th April, the 5th July, and the 10th Oct. in each year, by even and equal portions, together with a rateable proportion of the quarter current at the time of the death or resignation of any such lord chief justice, up and home to the day of his death or resignation; the first payment thereof to be made on such of the said days as shall first happen next after the passing of this act, 6 G. 4. c. 83. s. 8. [See further as to the salaries of the judges, 6 G. 4. c. 84. post. tit. JUDGES.]

10. It shall be lawful for H. M., by any letters patent under the great seal of G. B., to give and grant unto any person who may or shall have executed the office of chief justice of the court of C. P., an annuity or yearly sum of money, not exceeding the sum of four hundred and fifty pounds, and the said annuity shall be in addition to and in augmentation of the respective annuities or yearly sums allowed to be given and granted to such chief justice, under the 39 G. 3. c. 110. [Stat. Dig. tit. JUDGES, pl. 13.], and 53 G. 3. c. 153. [Stat. Dig. tit. JUDGES, pl. 15.], for enabling H. M. to grant additional annuities to the judges of the courts in Westminster Hall, on their resignation of their offices, and in like manner to commence from and after the period when the person to whom any such annuity or yearly sum of money shall be granted as aforesaid, shall have resigned his said office, and to continue for and during the natural life of the person to whom the same shall be granted as aforesaid; and every such annuity or yearly sum of money shall be issued and payable out of and charged and chargeable upon the consolidated fund, next in order of payment to, and after paying or reserving sufficient to pay, all such sums of money as have been directed by any former act of parliament, and as by this act are herein-before directed to be paid out of the same, but with preference to all other payments whatsoever, and shall be payable and paid quarterly, free and clear from all taxes and deductions whatsoever, by even and equal portions, at the like periods and together with and in the same manner as the annuities and yearly sums which may be given and granted under the said recited acts, and under and subject to the like rules, regulations, and restrictions (so far as the same are applicable), as are contained and prescribed in the 39 G. 3. c. 110. in relation to the annuities or yearly sums of money therein allowed to be given and granted, 6 G. 4. c. 83. s. 9.

11. All and every officers and persons who now receive for or pay to the lord chief justice of the said court for the time being, any fees, portions of fees, or other sums of money whatsoever, in respect of his office, shall, from and after the passing of this act [5th July 1825.], pay

all such fees, portions of fees (except homage fees), and sums of money, into H. M.'s exchequer, at such times and seasons as the same have been heretofore usually paid to the lord chief justice, and with such deductions and allowances only as have been heretofore usually made and allowed, 6 G. 4. c. 83. s. 10.

12. The several officers of the court who have been accustomed to pay the fees called homage fees to the lord chief justice, shall, on or before the first day of *Hilary* term in every year respectively, pay such fees to the first clerk of the said lord chief justice, which clerk shall, within one week from the first day of *Hilary* term in every year, account for and pay all such fees as shall be received by him from the said officers aforesaid, into H. M.'s exchequer, 6 G. 4. c. 83. s. 11.

13. For the purpose of uniting the two offices of chief and third prothonotary in the same officer, whoever shall be appointed to the first of those offices that shall become vacant after the passing of this act [5th July 1825.], shall, on the other of the said offices becoming vacant, take upon himself and perform the duties of the other of the said offices, and shall receive the fees accruing in respect of the said last-mentioned office, and shall retain, out of the fees of the office last becoming vacant, so much as the lord chief justice of the said court, and the treasury for the time being, shall think a reasonable compensation for his additional trouble, and shall account for and pay the residue of such fees into H. M.'s exchequer, on the first day of every term; and the said offices of chief and third prothonotary shall, after such union as aforesaid, be always executed by one officer, who shall be called the chief prothonotary of the court of C. P., and who shall receive the fees now payable in respect of the offices of chief and third prothonotary, and account for the same in such manner as may be directed by the treasury for the time being, 6 G. 4. c. 83. s. 12.

14. No person who shall hereafter be appointed to the office of chief or third prothonotary, or shall hold the said two offices when united, shall appoint a secondary, but the secondary of such prothonotary shall be appointed by the lord chief justice of the said court of C. P.; and all secondaries so appointed shall hold their offices during their good behaviour, and shall receive such a proportion of the accustomed fees of the said office as the lord chief justice of the said court, and the lord high treasurer, or any three or more of the commissioners of the treasury for the time being, shall think reasonable, and shall account for and pay the residue into H. M.'s exchequer on the first day of every term, 6 G. 4. c. 83. s. 13.

15. The person who shall first be appointed secondary under the provisions of this act shall, when the office of secondary to the other prothonotary appointed by virtue of this act shall become vacant, take upon himself and perform the duties of both of the said secondaries, and receive the fees, and retain out of the same so much as the said lord chief justice of the said court, and the treasury, shall think a reasonable compensation for his additional trouble, and shall account for and pay the residue of such fees into H. M.'s exchequer on the first day of every term, 6 G. 4. c. 83. s. 14.

16. And whereas the offices of filacers of all the counties in *Eng.* would be executed better and at less expence by one person; and as such offices are now holden by many different persons, and the whole of such offices are not likely soon to become vacant, that they may, when the present interests in them shall expire, be all given to some one fit and proper person, be it enacted, That when the office of filacer of any county or counties shall become vacant, the person to be appointed to discharge the duties of such office shall only receive an appointment during the pleasure of the lord chief justice; and that when all the present interests shall have vacated those offices by death or otherwise, the lord chief justice of the court of C. P. shall revoke the appointments made during pleasure, and appoint some one fit and proper person to hold the united office of filacer of all the counties of *Eng.*, during his good behaviour in the said office, 6 G. 4. c. 83. s. 15.

17. If either of the persons who now hold the office of chief or third prothonotary shall, after the passing of this act, be desirous of resigning his or their office or offices, or either of the persons who now hold the office of secondary to the chief or third prothonotary, or shall hereafter be appointed to the office of secondary by either of the persons now holding the office of chief or third prothonotary, shall, after the death or resignation of the prothonotary to whom such secondary now belongs, or by whom he shall be hereafter appointed, be desirous of resigning his or their office or offices, it shall and may be lawful for the lord chief justice of the said court, by order under his hand and seal, to direct that any person holding either of the offices so resigned, during the life of the person resigning such office, shall pay to such last-mentioned person such annual sum by quarterly payments, and a proportionate sum for the time that shall intervene between the last quarter day and the day of the death of such last-mentioned person, as the said lord chief justice shall, under all the circumstances of the respective cases, think proper; and all orders of any chief justice for the payment of money to such

retired prothonotaries or secondaries, shall be made rules of the court of C. P.; which court may enforce the payment of any money due to any such retired prothonotary or secondary, if such money shall remain unpaid for the space of one month after the same shall be payable, by attachment, 6 G. 4. c. 83. s. 16.

18. No person who shall be appointed either a prothonotary or secondary, in consequence of the resignation of either of the present chief or third prothonotaries, or of their present secondaries, or of any secondary appointed by the present chief or third prothonotaries, shall be accountable to the crown for any of the fees of their offices, whilst such prothonotaries or secondaries, so appointed as aforesaid, are liable to pay the sums ordered to be paid to their respective predecessors under this act, 6 G. 4. c. 83. s. 17.

19. Upon every appointment to the office of second prothonotary hereafter to be made, the fees which have been heretofore paid to the lord chief justice and other judges of the said court of C. P., on the appointment of a second prothonotary, shall, before any such appointment shall be made, be paid, by the person to be appointed to such office, into H. M.'s exchequer for the use of H. M., 6 G. 4. c. 83. s. 18. [See as to the purchase of the office of *Custos Brevium* of C. P. 6 G. 4. c. 89. *post* this title, *pl.* 29, 30.]

COURTS (EXCHEQUER).

20. To enable H. M.'s court of exchequer to sit, and the lord chief baron or any other baron of the said court to try *Middlesex* issues elsewhere than in the place where the court of exchequer is commonly kept in the county of *Middlesex*, 3 G. 4. c. 87.

21. Whereas the court of exchequer is about to be rebuilt, and provision ought to be made to enable the court to sit elsewhere whilst the said court is rebuilding: be it enacted, That it shall be lawful for the lord chief baron of H. M.'s court of exchequer, and in his absence, for any two or more of the other barons of the same court, without any other authority than this act, from time to time during the rebuilding of the same court, and until a new court is ready for the dispatch of business, to order and direct that H. M.'s court of exchequer shall be held in any convenient place within the county of *Middlesex*, specified in any such order, for the dispatch of any business of or in the said court; and it shall be lawful for the lord chief baron of the same court, or any other baron sitting for him, to try all issues joined or to be joined in the same court, wherein the trials ought to be in the city of *Westminster*, or in the said county of *Middlesex*, in the place specified in any such order as aforesaid, and all business of or in the same court may in every such case be heard, decided, and dispatched, and all such issues may be tried, wherever the said court shall be so directed to be held, in like manner and form, and shall be of the like force and effect, as if the said court had been held during such periods in the place where the court of exchequer has been commonly kept in the said county of *Middlesex*, 3 G. 4. c. 87. s. 1.

22. As well the sheriff of the said county of *Middlesex*, as all other officers whatsoever, and also all jurors, parties, witnesses, or other persons who may be required to attend, or who ought to attend at, or for the dispatch of any business whatsoever, of or in the said court, or for the trial of any such issue to be so tried as aforesaid, if the same had been heard, dispatched, or tried in the place where the said court of exchequer is commonly kept in the said county of *Middlesex*, shall give his and their attendance at and for the trial thereof at the place where the said lord chief baron, or in his absence any other baron of the said court, shall be sitting for the trial thereof, upon reasonable notice to him or them in that behalf, and shall be subjected to such and the same pains and penalties for non-attendance, and entitled to such and the same fees and remuneration for his and their attendance, as if such business had been heard or dispatched, or such issue had been actually tried, in the usual place where the said court of exchequer hath been commonly kept as aforesaid; and all writs, process, notices, and other proceedings (other than a special notice of the place of trial) heretofore issued, made, or had, or to be hereafter issued, made, or had, in any such business, or for the trial of any such issue according to the forms now in use, shall be as good and available in the law, to all intents and purposes, as if such business or such issue had been actually heard, dispatched, or tried in such usual place as aforesaid; and all business and trials dispatched and heard at any such place as aforesaid, in virtue of this act, shall be deemed to have been had, and may in any record, process, or other proceeding, and also in any indictment for perjury or other offence committed at or in relation to any such trial be alleged and laid, to have been had in the usual place where the said court of exchequer hath been commonly kept in all respects and to all purposes, as if such business and trial had been there actually dispatched and had, 3 G. 4. c. 87. s. 2.

COURTS (KING'S BENCH).

23. To repeal 1 & 2 G. 4. c. 16. [*Stat. Dig. tit. COURTS (King's Bench), pl. 4.*] for facilitating the dispatch of business in the court of K. B.; and to make further provisions in lieu thereof, 3 G. 4. c. 102.

24. Whereas by 1 & 2 G. 4. c. 16., the judges of the court of K. B. were enabled to sit for the dispatch of matters pending in the said court at certain times before *Hilary, Easter, and Michaelmas* terms, and it is expedient to repeal the said act; be it enacted, That from 31st July 1822, the 1 & 2 G. 4. c. 16. shall be repealed, 3 G. 4. c. 102. s. 1.

25. And from 31st July 1822, it shall be lawful for H. M. from time to time as to him shall seem meet, by warrant under his sign manual, directed to the judges of the said court, to direct and require the judges of the said court, or any two or more of them, to meet at *Serjeants' Inn Hall, Westminster Hall*, or some other convenient place to be by them appointed, on such and so many days in the vacation or interval between any terms, as to H. M. shall seem fit and proper, for the dispatch of such matters as at the end of the term mentioned in such warrant, may be depending in the said court, whether on the crown or plea side thereof, 3 G. 4. c. 102. s. 2.

26. Provided, that such warrant shall be made and issued, ten days at the least before the end of the term preceding the vacation mentioned in such warrant; and that the issuing of such warrant shall, three days before the end of the said term, be openly and publicly, in the said court of K. B., notified and declared, and be afterwards published in the *London Gazette*, 3 G. 4. c. 102. s. 3.

27. And when and so often as any such warrant shall be made and directed to the judges of the said court of K. B., it shall be lawful for the judges of the said court, or any two or more of them, unless prevented by illness, public business, or other reasonable cause, to meet in pursuance of such warrant, for the dispatch of such matters as aforesaid, or such as may appear to such judges, chiefly to require dispatch, and as may be then most conveniently dispatched, and to hear, decide, and pronounce rules, orders, and judgments thereupon; which rules, orders, and judgments, shall be drawn up and entered of record, either of the term last past before the pronouncing thereof, or as of the term then next ensuing, as the said judges shall direct, 3 G. 4. c. 102. s. 4.

28. All enlarged rules to show cause, which may be pronounced or drawn up by, or by the direction of the said court, for showing cause in any term next after any of such sittings directed by such warrant, shall be deemed to be rules to show cause, as well at such sittings as in the term then next following, and may be heard and decided in such sittings accordingly; provided, that nothing herein shall alter or affect the return of any writ, either mesne or judicial, or require any return of such writ, or appearance thereto, before the day therein mentioned, 3 G. 4. c. 102. s. 5.

29. To authorize the purchase of the office of receiver and comptroller of the seal of the court of K. B. and C. P. and of custos brevium of the court of C. P., 6 G. 4. c. 89.

30. Whereas by letters patent under the great seal of *Eng.* dated the 30th April, *Car. 2.*, the office of receiver-general and comptroller of the seal of the courts of K. B. and C. P. was (after certain estates tail since determined) granted to *Henry earl of Euston*, afterwards duke of *Grafton*, in tail male: and whereas by letters patent under the great seal of *Eng.* dated 14th Dec. *Car. 2.*, the office of custos brevium of the court of C. P. was (after the determination of grants for lives then subsisting) granted to certain persons therein named, and their heirs and assigns, in trust for the then earl and countess of *Litchfield*, and for the issue of the countess in tail: and whereas the said offices are now held by persons entitled thereto under the said grants; and it is expedient, with a view to certain arrangements now in contemplation, that the right, title, and interest of the persons now in the possession of the said offices, and entitled to the receipts and profits thereof, as well as the right, title, and interest of all persons hereafter claiming or becoming entitled to claim under the said grants, should be purchased; be it therefore enacted, that it shall be lawful for the treasury to treat, contract, and agree with the several persons beneficially entitled to the fees, receipts, and profits of the said offices, for the purchase of all the rights, profits, privileges, and advantages whatever belonging thereto, for such annuity or annuities, to be charged upon the consolidated fund of the U. K. as the treasury shall think fit; and from and after the confirmation of the said agreement by parliament, the rights and interests

of all persons whatsoever, claiming or entitled to claim under the said recited letters patent, shall cease and determine, 6 G. 4. c. 89. s. 1.

31. The said annuity or annuities so to be granted shall go and be paid from time to time to such person or persons as would have been entitled to the fees, profits, and advantages of the said offices respectively under the said letters patent in case this act had not been passed, 6 G. 4. c. 89. s. 2.

32. To abolish the sale of offices in the court of K. B. in *Eng.*, to make provision for the lord chief justice of the said court, and to grant an additional annuity to the said lord chief justice on resignation of his office, 6 G. 4. c. 82.

33. Whereas the several offices of chief clerk, clerk of the treasury, and custos brevium, and filacer, exigenter, and clerk of the outlawries of the court of K. B. in *Eng.* are in the gift of the lord chief justice of the same court, and deemed to be saleable by him, as and when the same from time to time become vacant: and whereas the several offices of clerk of the rules on the plea side, clerk of the papers on the plea side, clerk of the declarations, clerk of the common bails, estreats and postea, and clerk of the dockets of the same court, are in the gift of the said chief clerk, and deemed to be saleable by him; and the several offices of clerks of the inner and outer treasury, clerks of *Nisi Prius* in *London* and other cities, and on the several circuits, and bag-bearer on the plea side of the same court, are in the gift of the said custos brevium, and deemed to be saleable by him: and whereas the said several offices are held for the respective lives of the persons now holding the same (or for the life of the survivor of two persons where the office is now vested in two persons), and the emoluments thereof are derived entirely from the fees payable by the suitors of the same court; and some thereof are and for many years past have been executed by deputy; and the emoluments of some others thereof, which are executed in person, are greater than the nature and duties thereof, considered apart from other circumstances relating thereto, would require: and whereas it is expedient to abolish the sale of all such of the said offices as are now saleable, without prejudice however to the rights of any of the persons now holding the same, or having the right of appointment thereto, except only the lord chief justice of the said court; whereby a more uniform and more constant provision may be made for maintaining the honour and dignity of the office of lord chief justice of the same court, and a fund may be hereafter raised, which may be applied towards the payment of the salaries of the chief justice and other judges of the same court, in ease of the public revenue; be it therefore enacted, That the said offices of chief clerk, clerk of the treasury, and custos brevium, and filacer, exigenter, and clerk of the outlawries, shall from and after the passing of this act [5th July 1825.], and the said several offices herein-before mentioned to be in the gift of the said chief clerk, shall from and after the time when the said office of chief clerk shall become vacant, and the said several offices herein-before mentioned to be in the gift of the said custos brevium, shall from and after the time when the said office of custos brevium shall become vacant, be disposed of; and all appointments to the said respective offices, as they may respectively become vacant, shall be made according to the directions of this act, and not otherwise; and all and every the persons to be so appointed to the said several offices, shall continually execute the same in person, and not by deputy, unless for some reasonable cause to be allowed, as herein-after mentioned; and every such officer and his deputy, to be appointed according to the directions of this act, shall be deemed and taken to be a public accountable officer, to all intents and purposes, and shall severally account for the fees and emoluments of his office, according to the directions of this act, 6 G. 4. c. 82. s. 1.

34. All appointments to the said several offices to be made by virtue of this act, shall be made by the lord chief justice of the said court for the time being, by warrant under his hand and seal, without any fee, gratuity, or reward, to be directly or indirectly paid to or received for the same; and every such appointment shall be made, and shall be in such warrant expressed to be made, during the good behaviour of the person appointed, and for so long time only as the person appointed shall execute the same in person: provided, that no such office shall be vacated by reason of the officer's not executing his office in person, if he shall execute the same by some deputy to be appointed by virtue of this act; nor in cases of occasional illness, or other like necessary cause of absence, not continuing more than two months at any one time, 6 G. 4. c. 82. s. 2.

35. If any person to be appointed by virtue of this act shall demean himself in any manner contrary to the true intent and meaning hereof, or otherwise misbehave himself, it shall be lawful for the said court to hear and decide upon such misbehaviour, and also to hear and determine all complaints that may be made against such person in a summary way, and by rule of the same court, to order compensation to be made to any person injured by such misbehaviour, or to fine such offender,

or to make void his appointment, or punish the offender by all or any the ways aforesaid, as to such court in its discretion shall seem fit, 6 G. 4. c. 82. s. 5.

36. Provided, that in case any officer to be appointed by virtue of this act, shall, by ill-health or other infirmity, become incapable of discharging the duties of his said office, or shall for any other reasonable cause, to be allowed by the said lord chief justice, be desirous of being relieved from the discharge of the duties thereof, either permanently or for a certain time only, it shall and may be lawful for the said chief justice to appoint some fit and proper person to act as the deputy of such officer; the cause of such appointment being always distinctly mentioned and specified in the warrant of such appointment, 6 G. 4. c. 82. s. 4.

37. It shall and may be lawful to and for the lord chief justice of the said court and the lord high treasurer, or any three or more of the commissioners of H. M.'s treasury of the U. K. of G. B. and Ire. for the time being, and they are hereby required, by some writing under their respective hands, to ascertain for and allow to every officer and deputy, to be appointed by virtue of this act, for himself, his clerks and assistants, and the expences of his office, such part or parts of the fees and emoluments lawfully belonging to his office, as to them shall seem reasonable, and from time to time to alter and vary the same as occasion may require; and every officer and deputy to be so appointed shall demand and receive all and every the fees and emoluments lawfully belonging to his said office, whether the same have been heretofore received by or deemed to belong to the principal officer or his deputy or deputies, and no more or other fees, emoluments, or perquisites whatsoever; and shall retain thereout for his own use, and in the case of a deputy, for the use also of his principal, such part or parts thereof, and no more, as shall and may have been from time to time so ascertained and allowed as aforesaid; and shall duly account for all sums received and paid in manner herein-after directed, 6 G. 4. c. 82. s. 5.

38. Every officer and deputy to be appointed by virtue of this act shall keep one or more book or books, and shall cause to be duly and regularly entered therein every sum of money by him received and paid, and shall submit the same to the inspection of the said lord chief justice, and of the said treasury, whenever it shall be thereto required; and shall also, within one month after the end of every term, render a true and faithful account in writing (to be verified upon oath if required) to the said treasury for the time being, of all sums of money by him received and retained or paid, up to the last day inclusive of the term next immediately preceding the rendering of such account; and shall also, within the same period, pay over the balance of such account, if any, into the receipt of H. M.'s exchequer: provided, that if upon the examination of any such account it shall appear to the said treasury, that any unreasonable or improper charge or deduction has been made therein, the same shall be disallowed by them, and the amount of every sum of money so disallowed shall, within ten days after such disallowance shall be notified to such officer or deputy, be paid by him into the receipt of H. M.'s exchequer; and the said treasury shall cause copies of all such accounts to be laid before each house of parliament, at the commencement of the session of parliament next after the rendering thereof, and all sums so paid into the receipt of the exchequer shall be carried to the credit of the consolidated fund of the U. K., a separate account being kept thereof: provided, that no lands, tenements, or hereditaments of any officer or person who by virtue of this act may be required to pay any sum of money, which would otherwise be payable to the said lord chief justice, shall by reason thereof be charged with any such sum of money, or be deemed subject or liable to the payment thereof, or to answer or make good the same, 6 G. 4. c. 82. s. 6.

39. Whenever any deputy shall be appointed, and any portion of the fees and emoluments of office shall be directed to be allowed and paid to the principal officer, in pursuance of this act, such portion shall be duly paid over to the principal, before the rendering of the account hereby required next after the time when such portion shall become payable, and a proper receipt for the same shall be exhibited at the time of rendering such account; and no principal officer shall be deemed answerable or accountable for any sum of money received by any such deputy as aforesaid, 6 G. 4. c. 82. s. 7.

40. The several offices of clerk of the papers and clerk of the declarations shall, so soon as an appointment thereto may be made by authority of this act, be consolidated into one office, and be executed by one and the same person, 6 G. 4. c. 82. s. 8.

41. And whereas it will be necessary to make due provision for the maintenance of the honour and dignity of the office of lord chief justice of the said court, in lieu of the valuable patronage hitherto enjoyed by the person from time to time filling the said office, and which will be taken away by this act; and it is expedient that the lord chief justice

of the said court should receive a salary, to be fixed by parliament, in lieu of all pecuniary fees and emoluments now received by him; be it therefore further enacted, That the annual salary of the lord chief justice of the said court for the time being, shall be the sum of ten thousand pounds; to be computed and commence, in the case of the present lord chief justice, from the beginning of the quarter current at the time of the passing of this act, and to commence and be computed, in the case of every succeeding lord chief justice, from the death or resignation of his immediate predecessor, in like manner as if his writ or appointment bore date the day next subsequent to the day of the death or resignation of his predecessor; and that there shall be issued, and paid and payable out of, and charged and chargeable upon the said consolidated fund (after paying and reserving sufficient to pay all such sums of money as have been directed by any former act to be paid out of the same, but with preference to all other payments which shall or may hereafter be charged upon or payable out of the said fund) to the present lord chief justice of the said court and to his successors, as an augmentation of his and their salary, and in lieu of all fees and pecuniary profits belonging to the said office, so much money as will make the salary usually received by the lord chief justice of the said court for the time being, from the civil list, after deducting from the amount of such last mentioned salary, all land tax, pension duty, and other duties charged upon the same, or upon the said lord chief justice in respect of his office, and also all sums of money paid by the said lord chief justice for rolls, books, and dockets provided for the use of the officers of the said court, or of the suitors thereof, according to ancient and present usage, the annual sum of ten thousand pounds herein-before mentioned; which said sums, to be issued in pursuance of this act, shall from time to time from henceforth be paid and payable quarterly, free and clear from all taxes and deductions whatsoever, on the 5th Jan., the 5th April, the 5th July, and the 10th Oct. in each year, by even and equal portions, together with a rateable proportion of the quarter current at the time of the death or resignation of any such lord chief justice, up and home to the day of his death or resignation; the first payment thereof to be made on such of the said days as shall first happen next after the passing of this act, 6 G. 4. c. 82. s. 9. [See further as to the salaries, &c. of the judges, 6 G. 4. c. 84. post. tit. JUDGES.]

42. It shall be lawful for H. M. by any letters patent under the great seal of G. B., to give and grant unto any person who may or shall have executed the office of chief justice of the court of K. B., an annuity or yearly sum of money, not exceeding the sum of two hundred pounds, and the said annuity shall be in addition to and in augmentation of the respective annuities or yearly sums allowed to be given and granted to such chief justice, under the provisions of 39 G. 3. c. 110. [Stat. Dig. tit. JUDGES, pl. 13.] and under 53 G. 3. c. 153. [Stat. Dig. tit. JUDGES, pl. 15.], for enabling H. M. to grant additional annuities to the judges of the courts in Westminster Hall, on their resignation of their offices, and in like manner to commence from and after the period when the person to whom any such annuity or yearly sum of money shall be granted as aforesaid, shall have resigned his said office, and to continue for and during the natural life of the person to whom the same shall be granted as aforesaid; and every such annuity or yearly sum of money shall be issued and payable out of, and charged and chargeable upon the consolidated fund, next in order of payment to and after paying or reserving sufficient to pay all such sums of money as have been directed by any former act of parliament, and as by this act are herein-before directed to be paid out of the same, but with preference to all other payments whatsoever, and shall be payable and paid quarterly, free and clear from all taxes and deductions whatsoever, by even and equal portions, at the like periods and together with and in the same manner as the annuities and yearly sums which may be given and granted under the said acts, and under and subject to the like rules, regulations, and restrictions (so far as the same are applicable), as are contained and prescribed in the 39 G. 3. c. 110., in relation to the annuities or yearly sums of money therein allowed to be given and granted, 6 G. 4. c. 82. s. 10.

43. Every officer and person who now receives for or pays to the lord chief justice of the said court for the time being, any fees, portion of fees, or other sum of money whatsoever, in respect of his office, shall from and after the passing of this act [5th July 1825.], pay all such fees, portions of fees, and sums of money into H. M.'s exchequer, at such times and seasons as the same have been heretofore usually paid to the said lord chief justice, and with such deductions and allowances only as have been heretofore usually made and allowed, 6 G. 4. c. 82. s. 11.

CROWN PROPERTY. (See EXTENT.)

EAST INDIA COMPANY (ARMY).

(STATUTES repealed.)

1. For continuing in the *E. I. C.* for a further term the possession of the *British* territories in *India*, together with certain exclusive privileges, for establishing further regulations for the government of the said territories and the better administration of justice within the same, and for regulating the trade to and from the places within the limits of the said Co.'s charter 53 *G. 3. c. 155*. [*Stat. Dig.* this title, *pl.* 462. *REP.* as to s. 6—20, 40, 41. (*Stat. Dig.* this title, *pl.* 468, 476—490. 527.) by 4 *G. 4. c. 80. s. 1.*]

2. For the further regulation of the trade to and from places within the limits of the charter of the *E. I. C.* 54 *G. 3. c. 34*. [*Stat. Dig.* this title, *pl.* 469, 472, 473. *REP.* 4 *G. 4. c. 80. s. 1.*]

3. To continue until 1st *Jan.* 1816, and to amend several acts for allowing importations from, and exportations to the places within the limits of the charter of the *E. I. C.* in ships not *British* built, and for the maintenance and care of *Lascars* and *Asiatic* seamen arriving in this kingdom, 54 *G. 3. c. 134*. [*Stat. Dig.* this title, *pl.* 659,—661. The s. 1. is *EXP.* and s. 2, 3. *REP.* 4 *G. 4. c. 80. s. 24.*]

4. To make further regulations for the registry of ships built in *India* 55 *G. 3. c. 116*. [*Stat. Dig.* this title, *pl.* 662—671. *REP.* 4 *G. 4. c. 80. s. 1.*]

5. To regulate the trade to and from the places within the limits of the charter of the *E. I. C.*, and certain possessions of *H. M.* in the *Mediterranean*, 57 *G. 3. c. 36*. [*Stat. Dig.* this title *pl.* 576—588. *REP.* 4 *G. 4. c. 80 s. 1.*]

6. To permit vessels under a certain tonnage to trade between the *U. K.* and *New South Wales*, 59 *G. 3. c. 122*. [*REP.* 4 *G. 4. c. 80. s. 1.*]

7. For the further regulation of trade to and from places within the limits of the charter of the *E. I. C.* (except the dominions of the emperor of *China*), and ports or places beyond the limits of the said charter belonging to any state or country in amity with *H. M.*, 1 & 2 *G. 4. c. 65*. [*Stat. Dig.* this title, *pl.* 470, 475. *REP.* 4 *G. 4. c. 80. s. 1.*]

(STATUTES in force.)

I. Army.

II. Civil Service and Interior.

III. Trade and Shipping.

I. Army.

8. For defraying the charge of retiring pay, pensions, and other expences of that nature of *H. M.*'s forces serving in *India*, 4 *G. 4. c. 71. s. 1*. [See s. 2—18. *post*, this title, *Interior*, *pl.* 86—94. 110—116.]

9. Whereas by 33 *G. 3. c. 52. s. 128*. [*Stat. Dig.* this title, *pl.* 610.] it is enacted that all sums issued by the paymaster of *H. M.*'s forces serving in *India*, or for raising recruits, shall be repaid by the Co., and the actual expences of maintaining the troops be borne by the Co., and whereas by 55 *G. 3. c. 155. s. 55*. [*Stat. Dig.* this title, *pl.* 527.] it is enacted, that the revenues after defraying the expense of collection should be applied, first towards maintaining, &c. the *European* and native military, artillery, and marine, but no provision was made for retiring pay and pensions, and the Co. had agreed to pay for those purposes sixty thousand pounds annually, be it enacted, That over and above all sums now payable by the Co. in respect of *H. M.*'s forces serving in the *E. I.* the annual sum of sixty thousand pounds, to commence from the 30th *April*, 1822, shall be paid out of the rents, revenues, and profits arising from the territorial acquisitions, in full discharge of all claims upon the said Co. for retiring pay, pensions, and other expences of that nature, granted or payable by *H. M.* or by authority of parliament or otherwise, in respect of any of the forces of *H. M.* which have served, are now serving, or which hereafter may serve in the *E. I. C.*; such annual sum of sixty thousand pounds to be payable by the said out of any money in their treasury applicable to the territorial charges in the *E. I.*, by even quarterly payments, on the 30th *July*, the 30th *Oct.*, the 30th *Jan.*, and the 30th *April* yearly, into the receipt of *H. M.*'s exchequer, there to remain at the disposal of parliament; and such payments shall be charged upon and borne by the rents, revenues, and profits arising from the territorial acquisitions, in the same order as the charges and expences, of raising and maintaining the said forces are now charged and borne, 4 *G. 4. c. 71. s. 1*.

10. To consolidate and amend the laws for punishing mutiny and desertion of officers and soldiers in the service of the *E. I. C.*; and to authorize soldiers and sailors in the *E. I.* to send and receive letters at a reduced rate of postage, 4 *G. 4. c. 81*. [*AMD.* 6 *G. 4. c. 61*. See *SOLDIERS*.]

11. Whereas 27 *G. 2. c. 9*. [*Stat. Dig.* this title, *pl.* 594—607. and 157.]

was passed, intituled, *An Act for punishing mutiny and desertion of officers and soldiers in the service of the united Co. of merchants of Eng. trading to the E. I.; and for the punishment of offences committed in the E. I., or at the island of Saint Helena*; and another act was passed, 1 *G. 3. c. 14*. [*Stat. Dig.* this tit. *pl.* 594—607. and 157.] intituled, *An Act to extend the provisions relating to the holding of courts-martial, and to the punishment of offences committed in the E. I., contained in the 27 G. 2. c. 9. intituled 'An Act for punishing mutiny and desertion of officers and soldiers in the service of the united Co. of merchants of Eng. trading to the E. I., and for the punishment of offences committed in the E. I., or at the island of Saint Helena,' to the said Co.'s settlement of Fort Marlborough, and to such other principal settlements wherever the said Co. may be hereafter empowered to hold courts of judicature*; since the passing of which acts the territories under the government of the said Co. and the forces maintained by the said Co. for the safety and protection of the same, have greatly increased, in consequence whereof further provisions have become necessary; and it being requisite for the retaining of such forces in their duty, that an exact discipline be observed, and that soldiers who shall mutiny, or stir up sedition, or shall desert the said Co.'s service, be brought to a more exemplary and speedy punishment than the usual forms of the law do allow: be it therefore enacted, That if any person who is or shall be commissioned or in pay as an officer, or who is or shall be enlisted or in pay as a non-commissioned officer or soldier in the service of the said Co., at any time during the continuance of this act, shall begin, excite, cause, or join in any mutiny or sedition, in the land or marine forces of *H. M.*, or of the said Co., or shall not use his utmost endeavours to suppress the same, or coming to the knowledge of any mutiny or intended mutiny, shall not without delay give information thereof to his commanding officer; or shall misbehave himself before the enemy; or shall shamefully abandon or deliver up any garrison, fortress, post, or guard committed to his charge, or which he shall be commanded to defend, or shall compel the governor or commanding officer of any garrison, fortress, or post, to deliver up to the enemy or to abandon the same; or shall speak words or use any other means to induce such governor or commanding officer or others to misbehave before the enemy, or shamefully to abandon or deliver up any garrison, fortress, post, or guard committed to their respective charge, and which he or they shall be commanded to defend; or shall leave his post before relieved; or shall be found sleeping on his post; or shall hold correspondence with or give advice or intelligence to any rebel or enemy of *H. M.*, or the said Co., either by letters, messages, signs, or tokens, in any manner or way whatsoever; or shall treat or enter upon any terms with such rebel or enemy, without the licence of the said united Co., or of the said united Co.'s governor-general in council, or governor in council at any of their presidencies, or without the licence of the general or chief commander; or shall strike or use any violence against his superior officer, being in the execution of his office; or shall disobey any lawful command of his superior officer; or shall desert the said Co.'s service; all and every person and persons so offending in any of the matters before mentioned, whether such offence shall be committed within the dominions of *H. M.* or the possessions or territories which are or may be under the government of the said Co., or in foreign parts, upon land or upon the sea, within or without the limits of the charter of the said united Co., shall suffer death, or such other punishments as by a court-martial shall be awarded, 4 *G. 4. c. 81. s. 1*.

12. It shall and may be lawful for the general or other officer commanding in chief the forces of or belonging to the presidencies of *Fort William*, *Fort Saint George*, and *Bombay* respectively, for the time being, having authority to appoint courts-martial, to appoint general courts-martial, and to issue his warrant to any general or other officer, having the command of a body of troops of *H. M.* or of the said Co., empowering them respectively to appoint general courts-martial as occasion may require, to be holden within the territories of any foreign state, or in any country under the protection of *H. M.* or the said united Co., or at any place other than *Prince of Wales Island*, in the territories under the government of the said united Co., and situated above one hundred and twenty miles from the said presidencies respectively, for the trial of any person under his command accused of having committed wilful murder, theft, robbery, rape, or any other crime which is capital by the laws of *Eng.*, or of having used violence, or committed any offence against the person or property of any subject of *H. M.*, or any other person entitled to *H. M.*'s protection, or to the protection of the respective governments of the *E. I. C.*, or of any state in alliance with the said Co., within the territories of any foreign state, or in any country under the protection of *H. M.* or the said united Co., or at any place other than *Prince of Wales Island*, in the territories under the government of the said united Co., situate above one hundred and twenty

miles from the said presidencies respectively; and the persons accused, if found guilty, shall suffer death, or be liable to transportation for life or for a term of years, or to such other punishments, according to the nature and degree of their respective offences, as by the sentence of any such general court-martial shall be awarded: provided, that any person so tried shall not be liable to be tried for the same offence by any other court whatsoever, 4 G. 4. c. 81. s. 2.

13. If any person liable to be tried by a court-martial for any such offence alleged to have been committed within the territories of any foreign state, or in any country under the protection of H. M. or the said united Co., or at any place, other than *Prince of Wales Island*, in the territories under the government of the said united Co. situate above one hundred and twenty miles from the said presidencies of *Fort William*, *Fort St. George*, and *Bombay* respectively, and for which no proceeding shall have been commenced in any ordinary court of competent civil or criminal jurisdiction, shall be apprehended by the authority of or brought before any magistrate for any such offence, it shall be lawful for such magistrate, and he is hereby required to deliver over such accused person to the commanding officer of the regiment, corps, or detachment to which such accused person shall belong, or to the commanding officer of the nearest military station, for the purpose of his being tried by a court-martial for such offence, as herein-before is provided in that behalf, 4 G. 4. c. 81. s. 3.

14. Provided, in all and every case wherein a sentence of death or transportation shall be pronounced for any such capital offence, committed at any place situate above one hundred and twenty miles from the presidencies of *Fort William*, *Fort St. George* and *Bombay* respectively, and being within the territories under the government of the said united Co., such sentence shall not be carried into execution until confirmed by the general or other officer commanding at the presidency, with the concurrence of the governor-general in council or governor in council of the presidency in the territories subordinate to which such offenders shall have been tried, 4 G. 4. c. 81. s. 4.

15. No non-commissioned officer or soldier who shall desert the said Co.'s service shall be exempt from the pains and penalties imposed by this act for such offence, by again enlisting into H. M.'s or the said Co.'s service: but any such non-commissioned officer or soldier shall notwithstanding such subsequent enlistment, be deemed to have deserted, and shall in like manner suffer death, or such other punishments as by a court-martial shall be awarded, 4 G. 4. c. 81. s. 5.

16. Whereas doubts have arisen whether soldiers who of right belong to the corps from which they have deserted may be proceeded against and tried for deserting any other corps in which they may afterwards have enlisted, or from the said Co.'s service, if they shall not after such subsequent enlisting have been placed in any corps, or for any crime committed by them whilst serving therein; be it therefore enacted, That every such soldier shall be liable to be tried by a court-martial, and be punishable in like manner as if he had originally enlisted in, and of right belonged to the regiment, corps, troop, company, detachment, or party in which he shall be at the time of any subsequent desertion, or committing any offence notwithstanding it shall have been discovered or known that he had previously belonged to any other regiment, corps, troop, company, detachment, or party, and had not been discharged therefrom: provided, that if such persons shall be claimed by such other regiment, corps, troop, company, detachment, or party, and proceeded against as a deserter therefrom, his subsequent desertion from any one or more corps in which he may have unwarrantably enlisted, may (unless he shall have been already tried for the same) be given in evidence as an aggravation of his crime, previous notice being always given to such deserter of the fact or facts intended to be produced as evidence upon his trial, 4 G. 4. c. 81. s. 6.

17. In case of any non-commissioned officer or soldier tried and convicted of desertion, wheresoever the court-martial which shall pass sentence upon such trial shall not think the offence deserving of capital punishment, such court-martial may, instead of awarding a corporal punishment, adjudge the offender, according to the nature of his offence, if they shall think fit, to be transported as a felon for life, or for a certain term of years; and if such non-commissioned officer or soldier, having been adjudged to be transported as a felon, shall afterwards, without leave from the governor or commanding officer of the place to which he shall have been transported, return into or be found at large without leave as aforesaid, or other lawful cause, within any part of H. M.'s dominions, or any of the possessions or territories which are or may be under the government of the said united Co., other than the place to which he shall have been transported, before the expiration of the term limited by such sentence, and shall be convicted thereof in the ordinary course of law, every such person shall be deemed and adjudged guilty of felony, and shall suffer death as a felon, without the benefit of clergy, 4 G. 4. c. 81. s. 7.

18. Provided, that in all cases wherein a capital punishment shall have been awarded by a court-martial, it shall be lawful for the officer com-

manding in chief the forces at the presidency to which the offender shall belong, and having power to appoint or authorize the appointment of such court-martial, instead of causing such sentence to be carried into execution, to order the offender to be transported as a felon for life, or for a certain term of years, as to the said officer commanding in chief may seem meet; and if the person so transported in pursuance of such order shall afterwards, without leave from the governor or commanding officer of the place to which he shall have been transported, return into or be found at large without leave as aforesaid, or other lawful cause, within any part of H. M.'s dominions, or any of the possessions or territories which are or may be under the government of the said Co., other than the place to which he shall have been transported, before the expiration of the term limited by such order, and shall be duly convicted thereof, he shall suffer death, 4 G. 4. c. 81. s. 8.

19. It shall be lawful for any general court-martial to sentence any non-commissioned officer or soldier, convicted of desertion by such court, to general service as a soldier; and that the general or commander of the forces at the presidency to which the said offender shall belong, may thereupon direct, that such service shall be in any regiment or regiments or corps of the said Co. and in any country or place or places out of the possessions of the territories under the government of the said Co., or otherwise, as he may think fit, 4 G. 4. c. 81. s. 9.

20. Provided, that if any non-commissioned officer or soldier in any regiment or corps of the said Co.'s forces, so convicted of desertion, shall appear to have enlisted for a limited term of years, it shall be lawful for such court to sentence any such non-commissioned officer or soldier so enlisted in any regiment or corps of the said Co.'s forces, to serve for life as a soldier, or for any number of years beyond the period for which such non-commissioned officer or soldier shall have enlisted in the regiment in which he so enlisted, or generally in any regiment or corps which the general or commander of the forces at the presidency where such offender shall be tried shall please to direct; and any non-commissioned officer or soldier may in any case, in addition to any service, be further adjudged to forfeit all benefit or advantage as to increase of pay, or as to pension or discharge, which might otherwise have accrued to such non-commissioned officer or soldier from the length or nature of his service; and such forfeiture may, in such cases of desertion, be adjudged in addition to any other punishment, if the court should think fit, 4 G. 4. c. 81. s. 10.

21. It shall be lawful for any general court-martial, before which any non-commissioned officer or soldier shall be tried and convicted of desertion, to direct, if it shall so think fit, in addition to any other punishment such court may award for such desertion, that such deserter be marked on the left side, two inches below the arm-pit, with the letter (D.), such letter not to be less than half an inch long, and to be marked upon the skin with ink or gunpowder, or other preparation, so as to be visible and conspicuous, and not liable to be obliterated, 4 G. 4. c. 81. s. 11.

22. Provided, that whenever any sentence of transportation passed by any court-martial in the *E. I.*, or in the other possessions or territories which are or may be under the government of the said Co. beyond the seas or in foreign parts, is to be carried into execution, or mercy shall be extended to any offender liable to the punishment of death by the sentence of any court-martial upon condition of transportation, the same shall be notified in writing by the officer commanding in chief, or in the absence of the officer commanding in chief, then by the adjutant-general for the time being, to some judge of the supreme court of judicature of the presidency under which such offender shall serve; and thereupon such judge shall make an order for the transportation of such offender, upon the terms and for the time which shall be specified in such notification, and shall also make such other order or orders, and do all such other acts consequent upon the same, as any such judge is authorized to make or do with respect to offenders ordered to be transported by sentence of the criminal courts of *India*; and the governor in council of such presidency, or governors of such settlement, island, territory, or country respectively, shall and they are hereby required to take order for the transportation of all such offenders accordingly; and all such orders and acts shall be obeyed and done in respect to such offenders, and shall have the like consequence, as in cases of persons convicted of crime and sentenced to be transported, or receiving pardon on condition of transportation; and every person so ordered to be transported shall be subject respectively to all and every the provision and provisions made by law and now in force concerning persons convicted of any crime and sentenced to be transported, or receiving pardon on condition of transportation, 4 G. 4. c. 81. s. 12.

23. If any offender under sentence of death by a court-martial as aforesaid shall obtain any such conditional remission of such sentence as aforesaid, all and every the laws now in force touching the escape of felons under sentence of death, shall apply to such offender, and to all persons aiding, abetting, or assisting in any escape or intended escape of any

such offender, or contriving any such escape, from the time when such order shall be made by such judge as aforesaid, and during all the several proceedings which shall be had for the purposes aforesaid, 4 G. 4. c. 81. s. 13.

24. It shall be lawful for the governor-general or governor in council of any of the said Co.'s presidencies in *India*, to suspend the proceedings of any court-martial which may at any time be holden upon any person belonging to such presidencies respectively, 4 G. 4. c. 81. s. 14.

25. H. M. may from time to time grant a commission or warrant under his royal sign manual, unto the court of directors of the said united Co., who by virtue of such commission or warrant shall have power, under the seal of the said united Co., to authorize and empower their governor-general in council, and governor in council for the time being, at the presidencies of *Fort William*, *Fort Saint George*, and *Bombay* respectively, and their governors and council for the time being at the said island of *Saint Helena*, from time to time to appoint courts-martial, and to authorize and empower the general or other officer commanding any body of the forces employed in the said Co.'s service, to appoint general courts-martial, as well as to authorize any officer under their respective commands, not below the degree of a field officer, to convene general courts-martial as occasion may require, for the trial of offences committed by any of their forces under their several commands, whether the same shall have been so committed before or after such general officer shall have taken upon himself such command; all which courts-martial shall be constituted and shall regulate their proceedings according to the several provisions herein-after specified, 4 G. 4. c. 81. s. 15.

26. Provided, that no officer or soldier, being acquitted or convicted of any offence, shall be liable to be tried a second time by the same or any other court-martial for the same offence, unless in the case of an appeal from a regimental to a general court-martial; and that no sentence given by any court-martial, and signed by the president thereof, shall be liable to be revised more than once: provided, that nothing in this act contained shall extend to exempt any officer or soldier whatsoever from being proceeded against by the ordinary course of law, unless such officer or soldier shall have been tried by a court-martial in manner herein-before provided in respect of offences committed within the territories of any foreign state, or in any country under the protection of H. M., or the said united Co., or at any place in the territories of the said united Co. situate above one hundred and twenty miles from the said presidencies of *Fort William*, *Fort Saint George*, and *Bombay*, respectively, 4 G. 4. c. 81. s. 16.

27. If any officer or non-commissioned officer or soldier shall be accused of any capital crime, or of any violence or offence against the person, estate, or property of any of H. M.'s subjects, or any other person entitled to H. M.'s protection, or to the protection of the respective government of the *E. I. C.*, or of any state in alliance with the said Co., which is punishable by the known laws of the land, the commanding officer or officers of every regiment, troop, company, or party, is and are hereby required to use his and their utmost endeavours to deliver over such accused person to the civil magistrate, and shall also be aiding and assisting to the officers of justice in the seizing and apprehending such offender, in order to bring him to trial; and if any such commanding officer shall wilfully neglect or refuse, upon application made to him for that purpose, to deliver over any such accused person to the civil magistrate, or to be aiding or assisting to the officers of justice in apprehending such offender, every such officer so offending, and being thereof convicted upon any information or indictment in any of H. M.'s courts of record in *India*, shall be deemed and taken to be cashiered, and shall be utterly disabled to have or to hold any civil or military office or employment in the said united Co.'s service in the *E. I.*, provided a certificate of the said conviction be transmitted to the judge advocate general of the army to which such offender shall belong: provided, that nothing herein contained shall extend, to require the delivery over to the civil magistrate of any such person accused of any offence, who shall have been tried for such offence by any court-martial in manner herein-before provided, in respect of offences committed within the territories of any foreign state, or in any country under the protection of H. M. or the said united Co., or at any place in or out of the territories of the said united Co. situate above one hundred and twenty miles from the said presidencies of *Fort William*, *Fort Saint George*, and *Bombay* respectively, or against whom any effectual proceeding shall have been taken, or ordered to be taken, for the purpose of bringing such person to trial by such court-martial as aforesaid: provided also, that no person or persons, being acquitted or convicted of any capital crime, violence, or offence, by the civil magistrate, shall be liable to be punished by a court-martial for the same, otherwise than by cashiering, 4 G. 4. c. 81. s. 17.

28. No officer, non-commissioned officer, or soldier, who shall be

arrested and committed to prison upon a charge of any criminal offence, shall be entitled to receive any part of his pay from the day of such commitment till the day of return to the regiment, troop, company, or detachment to which he shall belong, or which he shall be ordered to join; provided, that if he shall be acquitted of the offence for which he was committed, he shall upon his return to his corps, be entitled to receive all arrears of pay which were growing due during the time of his confinement; but if he shall be convicted, he shall forfeit all right to any pay from the day of his commitment during the time of his confinement, as well under the original commitment, as under any commitment consequent upon such conviction, and until the day of his return to the regiment, troop, company, or detachment to which he shall belong, or which he shall be ordered to join, 4 G. 4. c. 81. s. 18.

29. All general courts-martial held under the authority of this act shall consist of thirteen or nine commissioned officers, as the case may require; except the same shall be holden upon any officer or non-commissioned officer or private soldier of the said Co.'s forces which shall be serving in any place out of H. M.'s dominions, or of the possessions or territories which are or may be under the government of the said Co., in which cases any general court-martial may consist of any number not less than seven; and except the same shall be holden at *Sumatra*, or at *Prince of Wales Island*, or at *Singapore*, at which places such general court-martial may consist of any number not less than five, of whom none shall be under the degree of a commissioned officer; nor shall the president of any general court-martial be the officer commanding in chief or governor of the garrison where the offence shall be tried, nor under the degree of a field officer, unless where a field officer cannot be had, nor in any case whatsoever under the degree of a captain, 4 G. 4. c. 81. s. 19.

30. Provided, that it shall be lawful for any general or other officer commanding any station, or commanding any detachment, brigade, division, or distinct party belonging to any army of the said Co., which may at any time be serving in any place out of H. M.'s dominions, or of the possessions or territories which are or may be under the government of the said Co., or of the territories of those states in alliance with the said Co., in which the said Co.'s forces are permanently stationed, upon complaint made to him of any crime or crimes, offence or offences, done or committed against the property or person of any inhabitant of or resident in any such place, by any non-commissioned officer or soldier, or other person serving with or belonging to the Co.'s army, being under the immediate command of any such general or other officer, to summon and cause to assemble general courts-martial, which shall consist of not less than three officers at the least, for the purpose of trying any such person or persons accused or suspected of having committed any such crime or crimes, or offence or offences as aforesaid, notwithstanding such general or other officer shall not have received any warrant or warrants, empowering such general or other officers to summon or assemble courts-martial; and every such court-martial shall have power to try any such person or persons so accused or suspected as aforesaid, and to adjudge any such person or persons to suffer any such punishments as shall be prescribed for any crime or crimes, offence or offences, with which any such person or persons shall be charged before such court-martial: provided, that no sentence of any such court-martial shall be executed until the general commanding in chief the army in the field of which the division, brigade, detachment, or party to which any person so tried, convicted, and adjudged to suffer punishment shall belong, shall have approved and confirmed the same: provided also, that every such court-martial shall have such and the same powers for summoning and examining witnesses as any other court-martial; and that witnesses guilty of perjury on examination before them, being persons amenable to this act, shall be subject and liable to the same penalties and punishments as any witnesses examined before any other court-martial are or shall be by any law or usage in force in relation to any other court-martial, 4 G. 4. c. 81. s. 20.

31. Provided, that no general court-martial for the trial of any officer (except the same shall be holden in any place out of H. M.'s dominions, and out of the possessions or territories which are or may be under the government of the said united Co., or on *Sumatra*, or at *Prince of Wales Island*, or at *Singapore*), shall consist of less than thirteen members, 4 G. 4. c. 81. s. 21.

32. Provided, that no general court-martial, consisting of any less number than thirteen commissioned officers, unless holden in any place out of H. M.'s dominions, or out of any of the possessions or territories which are or may be under the government of the said united Co., or on *Sumatra*, or at *Prince of Wales Island*, or *Singapore*, shall sentence any non-commissioned officer or soldier to loss of life or limb, or transportation, 4 G. 4. c. 81. s. 22.

33. Provided, that it shall be lawful for such general courts-martial, by their sentence or judgment, to inflict imprisonment, solitary or

otherwise, or corporal punishments, not extending to life or limb, as such court shall think fit, on any non-commissioned officer or soldier, for immoralities, misbehaviour, or neglect of duty; or to adjudge a forfeiture of all benefit or advantage as to increase of pay, or as to pension, which might otherwise have accrued to such non-commissioned officer or soldier, from the length or nature of his service, 4 G. 4. c. 81. s. 25.

34. Provided, that it shall be lawful for any general or other court-martial to sentence any non-commissioned officer or soldier to imprisonment in any fortress or garrison, or other suitable place of safe custody, 4 G. 4. c. 81. s. 24.

35. Every non-commissioned officer or soldier sentenced to imprisonment by any general court-martial shall forfeit all right to any pay or allowances from the day of his commitment during the time of such imprisonment, 4 G. 4. c. 81. s. 25.

36. All general and other courts-martial shall have powers and authority, and are hereby required to administer an oath, or in case of natives of *India*, an oath or solemn declaration, as circumstances may require, to every witness, in order to the examination or trial of any of the offences that shall come before them, 4 G. 4. c. 81. s. 26.

37. Provided, that at all general courts-martial to be held by virtue of this act, every member, before any proceedings be had before such court, shall take the following oaths upon the Holy Evangelists, before the judge advocate or his deputy, who are hereby authorized to administer the same; that is to say,

'You shall well and truly try and determine, according to your evidence, in the matter now before you. So help you GOD.'

'I, A. B. do swear, that I will duly administer justice according to the rules and articles for the better government of the officers and soldiers in the service of the united Co. of merchants of *Eng.* trading to the *E. I.*, and according to an act of parliament now in force for the punishment of mutiny and desertion of officers and soldiers in the service of the said united Co., without partiality, favour, or affection; and, if any doubt shall arise, which is not explained by the said articles or act of parliament, according to my conscience, the best of my understanding, and the custom of war in like cases: and I do further swear, that I will not divulge the sentence of the court until it shall be approved by the general or commander-in-chief, or the person or persons by whose warrant or authority the court-martial is held; neither will I, upon any account, at any time whatsoever, disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof as a witness by a court of justice or a court-martial, in a due course of law. So help me GOD.'

And as soon as the said oaths shall have been administered to the respective members, the president of the court is hereby authorized and required to administer to the judge advocate, or the person officiating as such, an oath in the following words:

'I ——— do swear, that I will not, upon any account, at any time whatsoever, disclose or discover the vote or opinion of any particular member of this court-martial, unless required to give evidence thereof as a witness by a court of justice or court-martial, in due course of law. So help me GOD.'

And no sentence of death shall be given against any offender in such case by any general court-martial, unless nine officers present shall concur therein (except such general court-martial shall be holden in any place out of H. M.'s dominions, or out of any of the possessions or territories which are or may be under the government of the said united Co., or to be holden on *Sumatra*, or *Prince of Wales Island*, or *Singapore* as aforesaid; and in all cases where a court-martial shall consist of more officers than thirteen, and also in any place out of H. M.'s dominions, or out of any of the possessions or territories which are or may be under the government of the said united Co., or on *Sumatra*, or *Prince of Wales Island*, or *Singapore*, when the same shall consist of a less number of officers, then such judgment shall pass by the concurrence of two-thirds at the least of the officers present; and no proceeding or trial shall be had upon any offence, but between the hours of six in the morning and four in the afternoon, except in cases which require an immediate example: provided, that all witnesses duly summoned by the judge advocate, or the person officiating as such, shall, during their necessary attendance in such courts, and in going to and returning from the same, be privileged from arrest, in like manner as witnesses attending any of H. M.'s courts of law are privileged; and that if any such witness shall be unduly arrested, he shall be discharged from such arrest by the court out of which the writ or process issued by which such witness was arrested; or if the court out of which the writ or process issued be not sitting, then by any judge or any court of law, according as the case shall require, upon its being made appear to such court or judge, by affidavit in a summary way, that such witness was arrested in going to or returning from or attending upon such court-martial; and that all witnesses so duly summoned as aforesaid, who shall not attend on such courts, shall be liable to be attached in the courts of law, upon complaint made to such judge or court, in like

manner as if such witness had neglected to attend on a trial in any criminal proceeding in that court, 4 G. 4. c. 81. s. 27.

38. Provided, that at all courts-martial other than general courts-martial, which shall be held by virtue of this act, or of any articles of war established by H. M. in pursuance thereof, every member assisting at such court, before any proceedings be had before it, shall take the following oaths on the Holy Evangelists (which oaths shall and may be administered by the president of the court to other members thereof, and to the president by any member having first taken the said oaths); that is to say,

'You shall well and truly try and determine, according to your evidence, in the matter now before you. So help you GOD.'

'I A. B. do swear, that I will duly administer justice according to the rules and articles for the better government of the forces of the united Co. of merchants of *Eng.* trading to the *E. I.*, and according to an act of parliament now in force, for the punishment of mutiny and desertion of officers and soldiers in the service of the said united Co., without partiality, favour, or affection; and if any doubt shall arise, which is not explained by the said articles or act of parliament, according to my conscience, the best of my understanding, and the custom of war in like cases. So help me GOD.'

And the president of every such court-martial (not being under the rank of a captain) shall be appointed by the commanding officer of the regiment, detachment, or brigade, or the governor or commander of the garrison, fort, castle, or barrack, directing such court-martial, 4 G. 4. c. 81. s. 28.

39. Whereas it may be expedient that officers of H. M.'s land forces, when employed in conjunction with officers in the service of the united Co., should in certain cases be associated for the purpose of holding courts-martial; be it enacted and declared, That when and as often as there may be occasion, it shall and may be lawful for officers of H. M.'s land forces, and of the forces in the service of the united Co. to sit in conjunction at courts-martial, and proceed in the trial of any officer and soldier, in like manner to all intents and purposes as if such courts-martial were composed of officers of H. M.'s land forces, or of officers in the service of the said united Co. only, with this distinction, that upon the trial of any officer or soldier of H. M.'s land forces, regard shall be had to the regulations and provisions made in pursuance of the act which shall exist at the time for the punishment of mutiny and desertion in H. M.'s forces; and the oaths administered to the several members of the courts-martial shall be in the terms by that act prescribed; and upon the trial of any officer or soldier in the service of the said united Co., regard shall be had to the regulations and provisions made by or in pursuance of this act; and the oaths administered to the several members of the court-martial shall be in the terms prescribed by this act, notwithstanding any officer in the service of the said united Co. may also have a commission from H. M., 4 G. 4. c. 81. s. 29.

40. Provided, that when and so long as any of H. M.'s forces shall be employed to act within or under the authority of any of the said Co.'s presidencies in the *E. I.*, the power of appointing courts-martial or authorizing the appointment of courts-martial for the trial of any officer or soldier of the said Co. of or belonging to such presidency, shall be in the officer for the time being commanding in chief such of H. M.'s forces as shall be employed within or under the authority of such presidency, 4 G. 4. c. 81. s. 30.

41. Provided, that the party tried by any general court-martial within the presidencies of *Bengal*, *Madras*, or *Bombay*, shall be entitled to a copy of the sentence and proceedings of such court-martial, upon demand thereof made by himself or by any other person or persons on his behalf (he or they paying reasonably for the same), at any time not sooner than six months after such sentences; and in case of trial by any general court-martial in the Co.'s other possessions beyond the seas or in foreign parts, at any time not sooner than twelve months after the sentence given by such court-martial, whether any such sentence be approved or not, 4 G. 4. c. 81. s. 31.

42. Provided, that every judge advocate, or person officiating as such at any general or court-martial, do and is hereby required to transmit, with as much expedition as the opportunity of time and distance of place can admit, the original proceedings and sentence of such court-martial, to the judge advocate general of the army in which such court-martial shall be held; and the said original proceedings and sentences are to be carefully kept and preserved in his office, to the end that persons entitled thereto may be enabled, upon application to such office, to obtain copies thereof, according to the true intent and meaning of this act, 4 G. 4. c. 81. s. 32.

43. It shall be lawful to and for H. M. from time to time to form, make, and establish articles of war for the better government of the said united Co.'s forces, and the same from time to time to vary, alter, and amend; which articles of war shall be judicially taken notice of by all judges, and in all courts whatsoever, 4 G. 4. c. 81. s. 33.

44. And for the more effectual notification thereof to the several

judges and persons herein-after mentioned; be it further enacted, That copies of all such articles of war, printed by the king's printer, shall from time to time, as soon as conveniently may be after the same shall have been made and established by H. M., be transmitted by H. M.'s secretary at war for the time being, signed with his own hand and name, to the judges of H. M.'s superior courts at *Westminster, Dublin, Edinburgh,* and in *India* respectively; and also to the governors of H. M.'s colonies, plantations, and territories within the limits of the charter of the said united Co., 4 G. 4. c. 81. s. 34.

45. For bringing offenders against such articles of war to justice, it shall be lawful for H. M. to grant his royal commission or warrant to the persons and in the manner herein mentioned and expressed, for convening and authorizing others to convene courts-martial, with power to try, hear, and determine any crimes or offences by such articles of war, and to inflict penalties by sentence or judgment of the same, as well in the possessions or territories which are or may be under the government of the Co., as elsewhere, where the troops of the Co. are or may be employed: provided, that no person shall by such articles of war be subject to any punishment extending to life or limb, within the dominions of H. M., or the possessions or territories which are or may be under the government of the said united Co., for any crime committed within one hundred and twenty miles distance from either of the presidencies of *Bengal, Madras, or Bombay*, which is not expressed to be so punishable by this act, 4 G. 4. c. 81. s. 35.

46. Provided, that if any officer or soldier, or any other person subject to the provision of this act, at any place out of the presidencies of *Bengal, Madras, or Bombay*, commit any of the offences for which he may be liable to be tried by a court-martial by virtue of this act, and shall, after the commission of any such offence, go or be sent to any part of H. M.'s dominions, or to any station or part of the possessions or territories under the government of the said Co., or elsewhere, in the course of service abroad, or come or be brought within the said presidencies, or either of them, before he be tried by a court-martial for such offence, such officer or soldier shall be liable to be tried for the same at such other station or part of H. M.'s dominions, or the possessions or territories which are or may be under the government of the said Co., or elsewhere, in the same manner as if the offence had been committed where such trial shall take place, 4 G. 4. c. 81. s. 36.

47. Whereas it may sometimes happen that officers in the service of the said united Co. cannot conveniently be had to compose the whole or part of a court-martial for the trial of offenders liable to be tried by court-martial by virtue of this act; be it further enacted, That in any such case any officer or soldier, or person subject to the provisions of this act, may and shall be tried by a general court-martial composed of officers in H. M.'s service alone; provided, that in every such case the officer convening such court-martial shall specify in his warrant that no officer in the service of the said Co. could conveniently be had, 4 G. 4. c. 81. s. 37.

48. And for preventing of fraud and deceit in the mustering of soldiers, be it further enacted, That if any person do make or give, or procure to be made or given, any false or untrue certificate, whereby to excuse any soldier for his absence from any muster, or any other service which he ought to attend or perform, upon pretence of such soldier being employed on some other duty of the regiment, or being sick, in prison, or on furlough, then every such person so making, giving, or procuring such certificate, shall for every such offence forfeit the sum of four hundred sicca rupees, and shall be forthwith cashiered and displaced from his office, and shall be thereby utterly disabled to have or hold any military office or employment in the service of the Co. in the *E. I.*; and no certificate shall excuse the absence of any soldier but for the reasons above mentioned, or one of them, 4 G. 4. c. 81. s. 38.

49. Every officer that shall make any false or untrue muster of man or horse, or wittingly or willingly allow or sign the muster-roll wherein such false muster is contained, or any duplicate thereof, and also every officer who shall directly or indirectly take or cause to be taken any sum or sums of money, or any other gratuity, on or for the mustering any regiment, troop, or company, or on or for the signing of any muster-rolls, or any duplicate thereof, upon proof thereof upon oath made by two witnesses before a general court-martial, to be thereupon called (which is hereby authorized and required to administer such oath), shall for such offence be forthwith cashiered, and shall be thereby utterly disabled to have or hold any civil or military office or employment in the said Co.'s service in the *E. I.*, 4 G. 4. c. 81. s. 39.

50. If any officer shall knowingly muster any person by a wrong name, upon conviction thereof before a general court-martial, the said officer shall be subject to such penalties as are directed and inflicted by this act upon those who shall make false musters, 4 G. 4. c. 81. s. 40.

51. Every paymaster or other commissioned officer of the Co.'s

forces, or any storekeeper or commissary, or deputy or assistant commissary, or other person employed in the commissariat department, or in any manner in the care or distribution of money, provisions, forage, or stores belonging to the said united Co., or for the said united Co.'s forces, or for the use of H. M.'s troops, or other forces serving with the said united Co.'s forces in *India*, or who shall embezzle or fraudulently misapply, or cause to be embezzled or fraudulently misapplied, or shall knowingly or wilfully permit or suffer any money, provisions, forage, arms, clothing, ammunition, or other such military stores to be embezzled or fraudulently misapplied, or to be spoiled or damaged, may be tried for the same by and before a general court-martial; and it shall be lawful for any court-martial to adjudge any such paymaster or other commissioned officer, storekeeper or commissary, or deputy or assistant commissary, or other person, to be transported as a felon for life, or for any certain term of years, or to suffer such punishment of fine, imprisonment, dismissal from the Co.'s service, and incapacity of serving the Co. in any office, civil or military, as any such court shall think fit, according to the nature and degree of the offence; and every such officer or person shall, in addition to any other punishments, make good at his own expence the loss and damage sustained which shall have been ascertained by such court-martial; and the loss and damage so ascertained as aforesaid, may be recovered in any of H. M.'s courts of record at the presidency where such offender shall be resident, or in any other court of law having jurisdiction, where any person adjudged by a court-martial to have incurred any such penalties, or to make good any such losses or damages, shall be resident, after the said judgment shall be confirmed and made known; and after the said sum shall be recovered and levied, the same shall be applied and disposed of as the government of the presidency shall direct and appoint, in case the same shall be recovered within any of the said presidencies, and if not, then as the government of the presidency to which the offender shall have belonged at the time of his offence shall direct and appoint, 4 G. 4. c. 81. s. 41.

52. Every non-commissioned officer who shall be convicted at a general or regimental court-martial, of having embezzled or misapplied any money with which he may have been entrusted for the payment to the men under his command, shall be reduced to serve in the ranks as a private soldier, and be put under stoppages until the money be made good, and suffer such corporal punishment (not extending to life and limb) as the court-martial shall think fit, 4 G. 4. c. 81. s. 42.

53. No paymaster or other person shall receive any fees, or make any deductions whatsoever, out of the pay or allowances which shall be due to any officer or soldier in the Co.'s army (without his consent be obtained thereto), other than the usual deductions, as shall be from time to time required to be made according to the regulations of the service, 4 G. 4. c. 81. s. 43.

54. If any officer or paymaster shall unlawfully detain or withhold for the space of one month the pay and allowances of any officer or officers (clothes and all other just allowances being deducted) after such pay and allowances shall be by him or them received; or if any officer, having received the soldiers' pay and allowances, shall refuse to pay each non-commissioned officer and soldier his or their respective pay and allowances, when they shall become due and payable, according to the several rates established by the regulations of the service, then upon proof thereof before a court-martial as aforesaid, to be for that purpose duly held and summoned, every such paymaster or officer so offending shall be discharged from his employment, and shall forfeit to the informer, upon conviction before the said court, eight hundred sicca rupees, and be liable to such further punishment as shall by the court-martial be awarded: provided, that it shall be lawful for the governor-general in council, or the governor in council at the said presidencies respectively, to give orders for withholding the pay of any officer, non-commissioned officer or soldier, for any period during which such officer, non-commissioned officer, or soldier shall be absent without leave, 4 G. 4. c. 81. s. 44.

55. All officers and persons serving and hired to be employed, or who shall serve and be hired to be employed in the artillery, and in the several trains of artillery, and in the department of the engineers, and all officers serving or who shall serve in the corps of engineers, and all officers and persons serving or who shall serve as military surveyors or draftsmen, or in the corps of sappers and miners, or pioneers, and all persons who now are or shall be under the ordnance, and all apothecaries, veterinary surgeons, medical storekeepers, hospital stewards, and others serving on the medical establishment of the army, licensed sutlers and followers, shall be at all times subject to all the penalties and punishments mentioned in this act, and shall in all respects whatsoever be holden to be within the intent and meaning of every part of this act, 4 G. 4. c. 81. s. 45.

56. Any person who shall enlist into the Co.'s forces, and who shall be discovered to be incapable of active service, by reason of any infirmity which shall have been concealed by such person, or not de-

clared before the justice of the peace at the time of his attestation, and mentioned at the foot thereof, may be transferred into any garrison, or veteran or invalid battalion, or into H. M.'s or Co.'s marine forces, notwithstanding he shall have been enlisted for any particular regiment, and shall be entitled to receive such portion or residue of bounty only as shall be allowed by the said Co., by any regulation made in that behalf, in lieu and instead of the bounty upon which such man shall have been enlisted; any thing in any act of parliament, or any rules or regulations relating to soldiers, to the contrary notwithstanding, 4 G. 4. c. 81. s. 46.

57. All officers and soldiers who shall be enlisted in or transferred to the service of the united Co., and all officers in the said Co.'s service who may proceed in charge of, or be appointed to do duty with such enlisted or transferred officers and soldiers, shall, from and after their embarkation to go abroad to such place whereto they shall be sent in the service of the said Co., be and hereby are adjudged to be, during their passage, subject to all the provisions and regulations of this act, and to all such provisions and regulations as officers and soldiers in the pay of the said united Co. shall from time to time be subject to at the garrison or place to which such officers and soldiers shall be sent, 4 G. 4. c. 81. s. 47.

58. And forasmuch as it may happen that offences may be committed by the said officers and men after their embarkation, and before their arrival at their place of destination abroad, which nevertheless cannot be tried and punished during their passage in such manner as such offences ought to be tried and punished; be it therefore enacted, That in every such case every such officer or soldier shall and may, after his arrival at his place of destination abroad, be tried and punished for every offence committed after his embarkation and before his arrival, in the same manner as he would have been liable to be tried and punished if such offence had been committed in any place where the offender could have been tried by any court-martial held under the authority of this act, 4 G. 4. c. 81. s. 48.

59. All sums of money due by deceased officers and soldiers in respect of any military clothing, appointments, and equipment, or in respect of any quarters, or of any mess or regimental accounts, and all sums of money due to any agent or paymaster, or quarter-master, or any other officer upon any such accounts, or on account of any advance made for any such purpose, shall be deemed and taken to be regimental debts, and shall be paid out of any arrears of pay or allowances, or out of any prize or bounty money, or the equipage, goods, chattels, and effects of any officer or soldier dying while in the service of the said united Co., in preference to any other debts, claims, or demands whatsoever, upon the estate and effects of such officer or soldier; and if any doubt shall arise, as to whether any claim or demand made in relation to any officer or soldier is a regimental debt or not, such question shall be decided and concluded by the order or certificate of the military secretary to the government of the presidency to which such officer or soldier shall have belonged; and all such payments shall be good and valid in law; and every person who shall make any such payment out of any such arrears of pay, effects, or proceeds as aforesaid, under the provisions of this act, or in pursuance of any such order or certificate of such military secretary, or into whose hands any such money shall come, shall be and are hereby indemnified for and in respect of such payments, and all other acts, matters and things done in pursuance of the provisions of this act, or of the order or certificate of the said military secretary, in relation to the distribution of such assets; any thing in any act of parliament, or law, to the contrary notwithstanding, 4 G. 4. c. 81. s. 49. [See this section AMD. 6 G. 4. c. 61. post. tit. SOLDIERS.]

60. It shall be lawful for such military secretary to cause all surplus which may remain, after satisfying such regimental debts as aforesaid, to be paid to the person or persons entitled thereto, 4 G. 4. c. 81. s. 50.

61. All such regimental debts shall and may be paid without any probate of any will being obtained, or any letters of administration, or any confirmation of testament, or letters testamentary or dative, being taken out by any person, and the surplus only of such arrears of pay or allowances, prize or bounty money, equipage, goods, and chattels, or the proceeds thereof, shall be deemed the personal estate of the deceased, for the payment of any duty in respect of any probate, or of any letters of administration or confirmation of testament, or letters testamentary or dative, or for the purpose of distribution as personal estate; and it shall be lawful for the said military secretary to order and direct the payment or distribution of any such surplus, in any case in which the same shall not exceed two hundred sicca rupees, without any probate, or letters of administration, or confirmation of testament, or letters testamentary or dative, or payment of any duty of stamps, or upon legacies or otherwise; and it shall also be lawful for any paymaster or other person to issue any sum not exceeding the value of two hundred sicca rupees, which may be due to any officer deceased, or to the widow or relative of any officer deceased, or to the representative or representatives of any such officer's widow or relative, in like manner, without

any probate or letters of administration, or confirmation of testament, or letters testamentary or dative, or payment of any duty of stamps, or upon legacies or otherwise, the same to be paid to the person who shall be notified by the said military secretary as aforesaid as being entitled thereto; and all such payments respectively shall be as valid and effectual, to all intents and purposes, as if the same had been made by or to any executor or administrator, or under the authority of any probate, or letters of administration, or confirmation of testament, letters testamentary or dative; any thing in any act of parliament, or law, to the contrary notwithstanding, 4 G. 4. c. 81. s. 51.

62. Every soldier entitled to his discharge under any orders or any regulations made by the said Co., or upon the expiration of any period for which he shall have engaged to serve, shall be sent to G. B. or Ire., free of expence, and be entitled on his return to have and receive marching money from the place of his being landed to the parish or place in which he shall have been originally enlisted, at the rate and reckoning *per diem* fixed for victualling soldiers in H. M.'s service on the march, 4 G. 4. c. 81. s. 52.

63. Provided, that every such soldier entitled to and claiming his discharge, and to be sent to G. B. or Ire., shall, until his arrival and debarkation in G. B. or Ire., be subject to the provision of this act, and the articles of war framed or to be framed by H. M. for the better government of the Co.'s forces, 4 G. 4. c. 81. s. 53.

64. Any person who shall voluntarily surrender or deliver himself up as a deserter from any regiment or corps of the said Co.'s forces, or who, upon being apprehended for desertion or any other offence shall, in the presence of the magistrate or of the commanding officer of the place, confess himself to be a deserter from any such regiment or corps, shall be deemed to have been duly enlisted, and to be a soldier, and shall be liable to serve in any such regiment or battalion or corps of the said Co.'s forces, as the commander of the forces of the said Co. shall think fit to appoint, whether such person shall have been ever actually enlisted as a soldier or not, 4 G. 4. c. 81. s. 54.

65. And to prevent, as far as may be, any unjust or fraudulent arrests that may be made upon soldiers, whereby the said united Co. may be deprived of their services, it is hereby further enacted, That no person who is or shall be listed, or who shall list and enter himself in the Co.'s service as a soldier, shall be liable to be taken out of the Co.'s service, by any process or execution whatever, other than for some criminal matter, unless for a real debt or other just cause of action, and unless before the taking out of such process or execution (not being for a criminal matter) the plaintiff or plaintiffs therein, or some other person or persons on his or their behalf, shall make affidavit before one or more judge or judges of the court of record, or other court out of which such process or execution shall issue, or before some person authorized to take affidavits in such courts, that to his or their knowledge the original sum justly due and owing to the plaintiff or plaintiffs from the defendant or defendants, in the action or cause of action on which such process shall issue, or the original debt for which such execution shall be sued out, amounts to the value of two hundred sicca rupees at the least, over and above all costs of suit in the same action, or in any other action on which the same shall be granted; a memorandum of which oath shall be marked on the back of such process or writ, for which memorandum or oath no fee shall be taken; and if any person shall nevertheless be arrested contrary to the intent of this act, it shall and may be lawful for one or more judge or judges of such court, upon complaint thereof made by the party himself, or by any of his superior officers, to examine into the same by the oath of the parties or otherwise, and by warrant under his or their hand and seal, or hands and seals, to discharge such soldier so arrested contrary to the intent of this act, without paying any fee or fees, upon due proof made before him or them that such soldier so arrested was legally enlisted as a soldier in the Co.'s service, and arrested contrary to the intent of this act, and also to award to the party so complaining such costs as such judge or judges shall think reasonable, for the recovery whereof he shall have the like remedy that the person who takes out the said execution might have had for his costs, or the plaintiff in the like action might have had for the recovery of his costs, in case judgment had been given for him with costs against the defendant in the said action, 4 G. 4. c. 81. s. 55.

66. And to the end that honest creditors, who aim only at the recovery of their just debts due to them from persons entering into and enlisting in the Co.'s service, may not be hindered from suing for the same, but on the contrary may be assisted and forwarded in their suits, and instead of an arrest, which may at once hurt the service and occasion great expence and delay to themselves, may be enabled to proceed in a more easy and cheap method; be it further enacted, That it may and shall be lawful to and for any plaintiff or plaintiffs, upon notice first given in writing of the cause of action to such person or persons so entered, or left at his or their last place of residence before such listing, to file a common appearance in any action to be brought

for or upon account of any debt whatsoever, so as to entitle such plaintiff to proceed therein to judgment and outlawry, and to have an execution thereupon other than against the body or bodies of him or them so listed as aforesaid; this act, or any thing herein, or any former law or statute to the contrary notwithstanding, 4 G. 4. c. 81. s. 56.

67. In all places where the said Co.'s forces now are or may be employed, or where any body of H. M.'s forces may be serving with the forces of the said Co., situate beyond the jurisdiction of the court of requests established at the cities of *Calcutta*, *Madras*, and *Bombay* respectively, actions of debt and all personal actions against such officers, non-commissioned officers, or soldiers, all persons licensed to act as sutlers to any corps or detachment, or at any station or cantonment, or other persons amenable to the provisions of this act, or resident within the limits of a military cantonment, shall be cognizable before a court of requests composed of military officers, and not elsewhere; provided the value in question shall not exceed four hundred sicca rupees, and that the defendant was a person of the above description when the cause of action arose; which court the commanding officer of any station or cantonment is hereby authorized and empowered to convene, and the said court shall in all practicable cases consist of five commissioned officers, and in no instance of less than three, and the president thereof shall not be under the rank of a captain; and every member assisting at any such court, before any proceedings to be had before it, shall take the following oath upon the Holy Evangelists; which oath shall be administered by the president of the court to the other members thereof, and to the president by any member having first taken the said oath; (that is to say,)

'I — swear, That I will duly administer justice, according to the evidence, in the matter that shall be brought before me. ' So help me God.'

And every witness before any such court shall be examined on oath, which such courts are hereby authorized to administer, or if natives of the *E. I.*, on oath or solemn declaration, as the circumstances of the case may require; and it shall be competent for such courts, upon finding any debt or damage due, either to award execution thereof generally, or to direct that the whole or any part thereof shall be stopped and paid over to the creditor out of any pay or public money which may be coming to the debtor in the current or any future month; and in case the execution shall be awarded generally, the debt, if not paid forthwith, shall be levied by seizure and public sale of such of the debtor's goods as may be found within the camp, garrison, or cantonment, under a written order of the commanding officer, grounded on the judgment of the court, and the goods of the debtor, if found within the limits of the Co.'s garrison or cantonment to which the debtor shall belong at any subsequent time, shall be liable to be seized and sold in satisfaction of any remainder of such debt or damages; and if sufficient goods shall not be found within the limits of the camp, garrison, or cantonment, then any public money, or any sum not exceeding the half pay accruing to the debtor, shall be stopped in liquidation of such debt or damage; and if such debtor shall not receive pay as an officer or soldier, or from any public department, but be a sutler, servant, or follower, he shall be arrested by like order of the commanding officer, and imprisoned in some convenient place within the military boundaries, for the space of two months, unless the debt be sooner paid: provided, that from and after the time limited for the commencement of this act [see s. 74. pl. 84.], so much of 53 G. 3. c. 155. s. 106. [Stat. Dig. this title, pl. 554.], intituled, *An Act for continuing in the E. I. C. for a further term the possession of the British territories in India, together with certain exclusive privileges, for establishing further regulations for the government of the said territories and the better administration of justice within the same, and for regulating the trade to and from the places within the limits of the said Co.'s charter*, as gives to magistrates the cognizances of debts due from officers or soldiers, being *British* subjects, to the natives of *India* resident without the jurisdiction of the courts of requests therein mentioned, shall be and the same is hereby repealed accordingly, 4 G. 4. c. 81. s. 57.

68. From the commencement of this act, no soldier being arrested or confined for debt in any prison, gaol, or other place, shall be entitled to any part of his pay or allowances, from the day of such arrest or confinement until the day of his return to the regiment, troop, company, or detachment to which he shall belong, or shall be ordered to join, 4 G. 4. c. 81. s. 58.

69. Every soldier who shall be taken prisoner by the enemy shall forfeit all right or claim to pay and allowance during the period of his remaining a prisoner, and until he shall again return to the Co.'s service: provided, that upon the return of every soldier to the Co.'s service, due inquiry shall be made as to the conduct of such soldier in relation to his being made prisoner, and during the period of his so remaining a prisoner, and before return to service, by some general or regimental or garrison or other court-martial, which shall be

constituted under any article of war made by H. M., for the purpose of investigating such cases; and every soldier who shall prove to the satisfaction of the court, by oath of himself or others, or in such manner as such court shall require (and which oath every such court is hereby authorized to administer), that he was fairly and unavoidably taken prisoner in the course of service, without any wilful neglect of duty on his part, and that he hath not served with or under or in any manner aided or assisted the enemy, and that he hath returned as soon as possible to the Co.'s service, shall be thereupon entitled to receive either the whole of any such arrears of pay or allowances, or a proportion thereof, as shall be adjudged by any such court, 4 G. 4. c. 81. s. 59.

70. All officers and persons who are or shall be commissioned or employed in the commissariat department, or as storekeepers, and all civil officers who are or shall be employed by or act under the ordinance, and who are or shall be placed under the command of any general or other officer, shall be to all intents and purposes liable to the provisions of this act, and to the same rules and articles of war, and the same penalties and punishments, as in case of the Co.'s or other forces, 4 G. 4. c. 81. s. 60.

71. And whereas great mischief and inconvenience may arise if it should be doubted whether troops in pay raised or serving in any of the possessions or territories which are or may be under the government of the said united Co., or places which are or may be occupied by persons subject to the government of the said Co., or by any forces of the said Co., are, while under the command of any officer having a commission immediately from the government of any of the presidencies of the said Co., liable to the rules and articles of war, and the same penalties and punishments as the Co.'s other forces are subject to; to prevent such mischief, and remove all doubts, be it declared and enacted, That all officers and soldiers of any troops being mustered and in pay, which have been or are or shall be raised or serving as aforesaid, shall at all times and in all places be liable to martial law and discipline, and to the same trials, penalties, and punishments, in like manner, to all intents and purposes, as the Co.'s other forces, 4 G. 4. c. 81. s. 61.

72. Provided, That nothing in this act contained shall in any manner impeach or affect any matters enacted or declared respecting officers or soldiers being natives of the *E. I.*, or other places within the limits of the said Co.'s charter, contained in the 53 G. 3. c. 155., but that all such matters shall be of the same force, in respect of such native officers and soldiers, as if this act had not been made, 4 G. 4. c. 81. s. 62.

73. Whenever any portion of such native troops shall be serving in any country or place out of the possessions or territories which are or may be under the government of the said united Co., whether such be the dominions of H. M. or elsewhere, on the trial of all offences committed by any native officer or soldier or follower, reference shall be had to the articles of war framed by the government of the presidency to which such native officer, soldier, or follower, shall belong, and to the established usages mentioned and confirmed in the said last recited act, 4 G. 4. c. 81. s. 63.

74. Any person wilfully and knowingly giving false testimony on oath or solemn declaration, in any case wherein an oath or solemn declaration is required to be made by this act, shall be deemed guilty of wilful and corrupt perjury, and being thereof duly convicted shall be liable to such pains and penalties as by any laws now in force any persons convicted of wilful and corrupt perjury are subject and liable to; and every commissioned officer convicted before a general court-martial of perjury shall be cashiered; and every non-commissioned officer or soldier, or other person amenable to the provisions of this act, found guilty thereof, shall be punished at the discretion of a general or regimental court-martial, 4 G. 4. c. 81. s. 64.

75. If any action, bill, plaint or suit, shall be brought against any person or persons, for any act, matter, or thing to be acted or done in pursuance of this act, it shall be lawful to and for all and every person or persons sued as aforesaid, to plead thereto the general issue, that he or they are not guilty, and to give this act and the special matter in evidence on any trial to be held thereupon, and that the same was done in pursuance and by authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the verdict shall pass with the said defendant or defendants in any such action, or the plaintiff or plaintiffs therein become nonsuited, or suffer any discontinuance thereof, that in every such case the justice or justices, or such other judge before whom the said matter shall be tried, shall by force and virtue of this act allow unto the defendant or defendants his or their treble costs, which he or they shall have sustained by reason of their wrongful vexation in defence of the said action or suit, for which the said defendant or defendants shall have the like remedy as in other cases where the costs by the laws of the realm are given to defendants, 4 G. 4. c. 81. s. 65.

76. Every bill, plaint, action, or suit against any person or persons for any act, matter, or thing to be acted or done in pursuance of this

act, or against any member or minister of a court-martial, in respect of any sentence of such court, or of any thing done by virtue or in pursuance of such sentence, shall be brought into the court of record at the presidency under which such person is serving, or in the courts of record at *Westminster*, and in no other court whatsoever, 4 G. 4. c. 81. s. 66.

77. If any person shall harbour, conceal, or assist any deserter from the Co.'s service, knowing him to be such, the person so offending shall forfeit for every such offence the sum of one hundred and sixty sicca rupees, and upon conviction, by the oath of one or more credible witness or witnesses, before any of H. M.'s justices of the peace, the said penalty of one hundred and sixty sicca rupees shall be levied by warrant under the hand of such justice of the peace, by distress and sale of goods and chattels of the offender; one moiety of the said penalty to be paid to the informer, and the other moiety to be paid to the government of the presidency under which such offender is resident; and a report of the penalty being adjudged shall be made to the government by the justice of the peace by whom the same shall have been imposed; and in case any such offender, who shall be convicted as aforesaid of harbouring, concealing, or assisting any such deserter, shall not have sufficient goods and chattels whereon distress may be made, to the value of the penalty awarded against him or her for such offence, or shall not pay such penalty within four days after such conviction, then and in such case such justice of the peace shall and may, by warrant under his hand and seal, commit such offender to the common gaol, there to remain without bail or mainprize for the space of six months: provided also, that if any person shall knowingly detain, buy, or exchange, or otherwise receive from any soldier or deserter, or any other person, upon any account or pretence whatsoever, any arms, clothes, caps, or other furniture belonging to the said Co., or furnished and provided for the use of any troops or forces serving with the forces of the said Co., or any meat, drink, beer, or other provision, provided under any regulations relating thereto, or any such articles belonging to any soldier or deserter as are generally deemed regimental necessities, according to the custom of the army, being provided for the soldier and paid for by deductions out of his pay, or cause the colour of any such clothes to be changed, the person so offending shall forfeit for every such offence the sum of forty sicca rupees; and if any person shall buy or receive any grain, hay, straw, or other forage, provided for the use of any horse or horses belonging to the Co.'s service, from any trooper or other soldier, knowing him to be such, or shall move, procure, counsel, solicit, or entice any trooper or other soldier, knowing him to be such, to sell or otherwise dispose of any such grain, hay, straw, or other forage as aforesaid, the person so offending shall forfeit for every such offence the sum of forty sicca rupees; and upon conviction by the oath of one or more credible witness or witnesses, before any of H. M.'s justices of the peace, the said respective penalties of forty sicca rupees, and forty sicca rupees, shall be levied by warrant under the hand of such justice of the peace, by distress and sale of goods and chattels of the offender; one moiety of the said first-mentioned penalty of forty sicca rupees to be paid to the informer, and one moiety of the said last-mentioned penalty of forty sicca rupees to be paid to the informer, and the residue of the said respective penalties to be paid to the government of the presidency under which such offender shall be resident; and in case any such offender who shall be convicted as aforesaid of having knowingly received any arms, clothes, caps, or other furniture belonging to the Co., or any such meat, drink, beer, or other provisions, or any such articles generally deemed regimental necessities, or of having caused the colour of such clothes to be changed, or of having bought or received any grain, hay, straw, or other forage, provided for the use of any horse or horses belonging to the Co.'s service, from any trooper or other soldier, knowing him to be such, or of having moved, procured, counselled, solicited, or enticed any trooper or other soldier, knowing him to be such, to sell or otherwise dispose of any such grain, hay, straw, or other forage as aforesaid, contrary to the intent of this act, shall not have sufficient goods and chattels whereon distress may be made to the value of the penalties recovered against him or her for such offence, or shall not pay such penalties upon such conviction, or give sufficient security for payment thereof, within the space of four days from such conviction, then and in such case such justice of the peace shall and may, by warrant under his hand and seal, either commit such offender to the common gaol, there to remain without bail or mainprize for the space of three months, or cause such offender to be publicly or privately whipped, at the discretion of such justice, 4 G. 4. c. 81. s. 67.

78. If any person or persons shall, in any part of the territories which are or may be under the government of the said Co., directly or indirectly persuade or procure any soldier or soldiers in the service of the said Co. to desert or leave such service as aforesaid, every such person or persons so offending as aforesaid, and being thereof lawfully convicted, shall for every such offence forfeit to the said Co., or to any other

person or persons who shall sue for the same, the sum of eight hundred sicca rupees; and if it shall happen that any such offender so convicted as aforesaid hath not any goods and chattels, land or tenements, to the value of eight hundred sicca rupees, to pay and satisfy, or if, from the circumstances and heinousness of the crime, it shall appear to the court before which the said conviction shall be made as aforesaid, that any such forfeiture is not sufficient punishment for such offence, it shall be lawful for such court to commit any such offender to prison, there to remain for any time not exceeding twelve months, without bail or mainprize, 4 G. 4. c. 81. s. 68.

79. All penalties by this act imposed for persuading or procuring any soldier to desert, may and shall be sued for and be recoverable in H. M.'s court of record at the presidency under which such offender shall be resident, 4 G. 4. c. 81. s. 69.

80. Provided, that no action shall be brought or prosecution carried on by virtue of this act, for the penalties aforesaid, unless the same be commenced within six months after the offence is committed, 4 G. 4. c. 81. s. 70.

81. And in order to prevent all doubts that may arise in relation to punishing crimes and offences committed against the 27 G. 2. c. 9., and against any of the articles of war made and established by virtue of the same; be it further enacted, That all crimes and offences which have been committed against the said last-mentioned act, or against any of the articles of war made and established by virtue of the same, shall be inquired of, heard, tried, determined, adjudged, and punished, before and by the like courts, persons, powers, authorities, ways, means, and methods, as the like crimes and offences committed against this act may be inquired of, heard, tried, determined, adjudged, and punished; and every warrant for holding any court-martial, under the 27 G. 2. c. 9., shall remain in full force, notwithstanding the repeal of such act; and proceedings of any court-martial upon any trial began under the authority of such former act, shall not be discontinued by the repeal of the same; but it shall be lawful to proceed to judgment upon any such trial, and to carry such judgment into execution, in like manner as if the proceedings had been commenced under the authority of this act: provided, that no person shall be liable to be tried and punished for any offence against the 27 G. 2. c. 9., or this act, or the articles of war made or to be made by virtue of the same acts or either of them, which shall appear to have been committed more than three years before the issuing of the commission or warrant for such trial; unless the person accused, by reason of his having absented himself, or of some other manifest impediment, shall not have been amenable to justice within that period, in which case such person shall be liable to be tried under such commission or warrant, to be issued at any time not exceeding two years after the impediment shall have ceased; or unless the conduct of the person accused shall have been submitted to the consideration of the court of directors, by the governor-general, or governor in council of the presidency to which such person shall belong, in which case such person shall be liable to be tried under such commission or warrant, to be issued at any time not exceeding five years after his offence shall have been committed, 4 G. 4. c. 81. s. 71.

82. All regulations and orders made respecting the administration of justice by courts-martial, or in any manner respecting the government, economy, or discipline of officers or soldiers and followers of the army of the said united Co., although not expressly provided for in the 27 G. 2. c. 9. intituled, *An Act for punishing mutiny and desertion of officers and soldiers in the service of the united Co. of merchants of Eng. trading to the E. I., and for the punishment of offences committed in the E. I., or at the island of Saint Helena*, and acted upon by the governments or military authorities at the several presidencies of *Fort William*, *Fort Saint George*, and *Bombay*, are and shall be to all intents or purposes valid, and shall continue valid until this act shall be published and in force; and all acts or proceedings done or had under such orders or regulations are hereby ratified and confirmed, 4 G. 4. c. 81. s. 72.

83. And whereas by 40 [so in the act, but qu. 46.] G. 3. c. 92. s. 7. 9. intituled, *An Act to amend three acts, made in the thirty-first, forty-first, and forty-second years of His present Majesty, relating to the conveyance of letters and packets by the post*; seamen employed in H. M.'s navy, and non-commissioned officers in the army, within any part of H. M.'s dominions, whilst actually employed in H. M.'s service, were authorized to send and receive by the post, on their private concerns only, single letters, upon payment of one penny for each letter, under the several restrictions in the said act contained: and whereas it is expedient to extend the provisions of the said act to seamen in the navy, and to non-commissioned officers and soldiers whilst actually employed in H. M.'s service in the *E. I.*, and at the island of *Saint Helena*, and also to the non-commissioned officers and soldiers actually employed in the service of the *E. I. C.*, subject to such modifications as are herein-after contained; be it therefore enacted, That from and after the passing of this act, [viz. 18th July 1823.] it shall be lawful to and

for every seaman employed in H. M.'s navy, within any part of the *E. I.*, or at the island of *Saint Helena*, and to and for every serjeant, corporal, drummer, trumpeter, fifer, and private soldier in H. M.'s regular forces, militia, fencible regiments, artillery, or royal marines, whilst actually employed in H. M.'s service in the *E. I.*, or at the island of *Saint Helena*; and also to and for every serjeant, corporal, drummer, trumpeter, fifer, and private soldier in the service of the said Co., whilst actually employed in the service of the said Co., and not otherwise, to receive single letters by the post, on his own private concerns only, free from all postage, except the sum of one penny for each single letter, to be paid upon putting the same into any post-office in *G. B.* or *Ire.*; provided, that the several regulations and restrictions contained in the herein-before recited act shall have been complied with; and likewise to send by the post, on his own private concerns alone, single letters, upon payment, by the party receiving the same, of the sum of two-pence for the sea postage of each such letter, and of the aforesaid further sum of one penny for the inland postage of each such letter, making in the whole the sum of three-pence for each such letter; provided, that if any such letter shall be delivered into one of H. M.'s post-offices in *G. B.* or *Ire.* free of all expence to H. M. or the revenue of the post-office, such letter shall be chargeable with the inland postage of one penny as aforesaid, and to no other charge; provided also, that the several regulations and restrictions contained in the said herein-before recited act shall have been complied with, 4 G. 4. c. 81. s. 73.

84. This act shall commence and take effect from and after 1st Feb. 1824, except where any other commencement is particularly directed; and that from and after such day, all powers and provisions contained in 27 G. 2. c. 9. [Stat. Dig. this tit. pl. 157. 594—607.] shall cease and determine, and that the said act shall be and is hereby repealed, except so far as is herein-before provided in that behalf; and the whole of 1 G. 3. c. 14. [Stat. Dig. this tit. pl. 157. 594—607.] shall be and is hereby repealed, 4 G. 4. c. 81. s. 74.

II. Civil Service and Interior.

85. For establishing the pensions of the bishop, archdeacons, and judges; for regulating ordinances, and for establishing a court of judicature at *Bombay*, 4 G. 4. c. 71. s. 2. to the end. [See s. 1. ante, this title, *Army*, pl. 9.] Salaries and pensions to the judges and bishop of *Calcutta* further regulated, 6 G. 4. c. 85. s. 1—16. [See rest of act, post.]

86. Whereas by 53 G. 3. c. 155. s. 54. [Stat. Dig. this tit. pl. 526.] provision was made for granting certain pensions to the bishop of *Calcutta*, and the archdeacons of *Calcutta*, *Madras*, and *Bombay* respectively, who should have exercised in the *E. I.*, or parts in the said act mentioned, for fifteen years, the office or offices of bishop or archdeacon, and it is expedient to repeal the same, be it enacted, That 53 G. 3. c. 155. s. 54. shall be repealed, 4 G. 4. c. 71. s. 2.

87. And it shall be lawful for H. M., in manner in the said act mentioned, to grant to any such bishop who shall have exercised in the *E. I.* or parts aforesaid, for ten years, the office of bishop or archdeacon, and to any such archdeacon who shall have exercised in the *E. I.* or parts aforesaid, for ten years, the office of archdeacon, pensions not exceeding such sums as H. M. by the said act is empowered to grant to such bishop or archdeacon, 4 G. 4. c. 71. s. 3. [See further, 6 G. 4. c. 85. s. 15, 16. post, pl. 108, 109.]

88. Provided, that if any person residing any time in the *E. I.* or parts aforesaid, as one of the chaplains of the said Co., shall have been or shall be appointed to the office of archdeacon, and shall have resided in the *E. I.* or parts aforesaid as such archdeacon seven years, the period of residence of such person as chaplain shall be accounted and taken as and for a residence as such archdeacon, in the proportion of three years' residence as such chaplain, to two years' residence as such archdeacon: provided also, that nothing herein contained shall extend to prejudice the right of any person being or having been a chaplain of the Co., to any benefit he may be entitled to under any regulation made by the Co., nor to prejudice or affect the right of the said Co., to make, repeal, vary or alter any regulations respecting the chaplains of the said Co., or the pay or allowances, pensions, or retirements of such chaplains which they may now do, 4 G. 4. c. 71. s. 4.

89. And it shall be lawful for the said Co. to provide a suitable house at *Calcutta* for the residence of the bishop, and the expence of the visitations to be made by the said bishop shall be defrayed by the said Co., out of the revenues of the *British* territories in *India*: provided, that no greater sum be at any time issued than shall be settled by the court of directors, with the approbation of the commissioners for the affairs of *India*, 4 G. 4. c. 71. s. 5.

90. And it shall be lawful for the bishop of *Calcutta*, for the time

being, to admit into the holy orders of deacon and priest respectively any person whom he shall upon examination deem duly qualified, specially for the purpose of taking on himself the cure of souls, or officiating in any spiritual capacity within the limits of the diocese of *Calcutta* and residing therein, and a declaration of such purpose, and a written engagement to perform the same, under the hand of such person, being deposited with such bishop, shall be a sufficient title with a view to such ordination, and in every case it shall be distinctly stated in the letters of ordination of every person so admitted to holy orders, that he has been ordained for the cure of souls within the diocese of *Calcutta* only; and unless such person is a *British* subject he shall not be required to take and make the oaths and subscriptions which persons ordained in *Eng.* are required to take and make: provided, nothing herein shall repeal or affect 53 G. 3. c. 155., or any letters patent issued by His late or present Majesty in virtue of the said act or of their lawful prerogative, 4 G. 4. c. 71. s. 6.

91. Whereas G. 2., by letters patent, dated at *Westminster*, 18th Jan., 26 G. 2., did grant unto the *E. I. C.* his royal charter, thereby, amongst other things, constituting and establishing courts of civil, criminal, and ecclesiastical jurisdiction at the settlement of *Madraspatnam*, *Bombay*, or the island of *Bombay* and *Fort William* in *Bengal*; and whereas the said charter, as far as it respects the administration of justice at *Bombay*, has been altered by 37 G. 3. c. 142. [Stat. Dig. this title, pl. 398.], and by letters patent granted by G. 3. and dated at *Westminster*, 20th Feb., 38 G. 3., amongst other things for the establishment of a court called "The Court of the Recorder of *Bombay*;" and whereas the charter of G. 2., so far as it respects the administration of justice at *Fort William* in *Bengal*, has been altered by 13 G. 3. c. 63. [Stat. Dig. this title, pl. 120.]; and whereas the said charter of G. 2., so far as it respects the administration of justice at *Madras*, has been altered by 39 & 40 G. 3. c. 79. [Stat. Dig. this title, pl. 120.]; and whereas it is expedient that a supreme court of judicature should be established at *Bombay* in the same form, and with the same powers as now subsists by virtue of the said acts at *Fort William* in *Bengal*; be it enacted, That it shall be lawful for H. M., by charter or letters patent under the great seal of *G. B.*, to erect and establish a supreme court of judicature at *Bombay* aforesaid, to consist of such and the like number of persons to be from time to time named by H. M., with full power to exercise such civil, criminal, admiralty, and ecclesiastical jurisdiction, both as to natives and *British* subjects, and to be invested with such powers, privileges, and immunities for the better administration of the same, and subject to the same limitations, restrictions, and controul within the said town and island of *Bombay*, and the limits thereof, and the territories subordinate thereto, and within the territories which now are or hereafter may be subject to, or dependant on the government of *Bombay*, as the said supreme court of judicature at *Fort William* in *Bengal*, by virtue of any law now in force and unrepealed, doth consist of or is invested with or subject to: provided, the governor and council at *Bombay* and at *Fort William* aforesaid, shall enjoy the same exemption, and no other, from the authority of the said supreme court of judicature to be there erected, as is enjoyed by the said governor-general and council at *Fort William* aforesaid for the time being, from the jurisdiction of the supreme court of judicature there already by law established, 4 G. 4. c. 71. s. 7.

92. If H. M. shall grant such charter as aforesaid, and erect such supreme court of judicature at *Bombay* as aforesaid, all the records, muniments, and proceedings whatsoever, of and belonging to the late mayor's court at *Bombay*, or to the late court of oyer and terminer, and gaol delivery, which were by the 37 G. 3. c. 142. directed to be delivered over, preserved and deposited in the new court erected by virtue of the said act, and all records, muniments, and proceedings whatsoever, of and belonging to the said court of the recorder of *Bombay*, or to any of the courts established under 37 G. 3. c. 142., shall, from and immediately after such supreme court of judicature as H. M. is hereby empowered to erect shall be established at *Bombay*, be delivered over to be preserved and deposited for safe custody in the said supreme court of judicature to be erected at *Bombay*, to which all parties concerned shall and may have resort and recourse upon application to the said court, 4 G. 4. c. 71. s. 8.

93. So much of the charter granted by G. 3. for erecting the court of the recorder of *Bombay*, as relates to the appointment of such recorder, and the erecting of such courts of judicature at *Bombay*, in case a new charter shall be granted by H. M., and shall be openly published at *Bombay*, from and immediately after such publication shall cease and determine, and be absolutely void to all intents and purposes whatsoever; and all powers and authorities granted by 37 G. 3. c. 142. to the said court of the recorder at *Bombay* shall cease and determine, and be no longer exercised by the said court, but the same shall be exercised by the supreme court of judicature, to be erected by virtue of this act in the manner and to the extent herein-before directed, 4 G. 4. c. 71. s. 9.

94. Salaries to the chief justice and puisne judges of the new supreme

court at *Bombay*, 4 G. 4. c. 71. s. 10. [REF. virtually, 6 G. 4. c. 85. s. 2. post, pl. 96.]

95. Whereas by 13 G. 3. c. 63. s. 13. [Stat. Dig. this title, pl. 134.], intituled, *An Act for establishing certain regulations for the better management of the affairs of the E. I. Co., as well in India as in Europe*, it was enacted, that it should be lawful for H. M., by charter or letters patent under the great seal of G. B., to erect and establish a supreme court of judicature at *Fort William* in *Bengal*, to consist of a chief justice and three other judges, to be named from time to time by H. M.; and that the court of directors of the united Co. of merchants of *Eng.* trading to the *E. I.* should direct and cause to be paid certain established salaries to the chief justice and each of the judges of the said supreme court of judicature at *Fort William* in *Bengal*; that is to say, to the chief justice eight thousand pounds by the year, and to each of the judges of the said supreme court, six thousand pounds by the year, in manner therein mentioned: and whereas letters patent under the great seal of G. B., bearing date at *Westminster*, 26th March, 14 G. 3., H. M. did erect and establish such supreme court of judicature at *Fort William* in *Bengal* accordingly, and did declare that the chief justice and puisne judges of the said court should, so long as they should hold their offices respectively, be entitled to have and receive respectively the salaries in the said in part recited act provided for that purpose: And whereas by 37 G. 3. c. 142. s. 1. [Stat. Dig. this title, pl. 399.] intituled, *An Act for the better administration of justice at Calcutta, Madras, and Bombay, and for preventing British subjects from being concerned in loans to the native princes in India*, the number of puisne judges of the said supreme court of judicature at *Fort William* in *Bengal* was reduced to two: And whereas by 39 & 40 G. 3. c. 79. s. 2. [Stat. Dig. this title, pl. 429.] intituled, *An Act for establishing further regulations for the government of the British territories in India, and the better administration of justice within the same*, it is enacted, that it should and might be lawful for H. M., by charter or letters patent under the great seal of G. B., to erect and establish a supreme court of judicature at *Madras* in the *E. I.*, to consist of such and the like number of persons, to be named from time to time by H. M., as the said supreme court of judicature at *Fort William* in *Bengal*; and that the court of directors of the said united Co. should direct and cause to be paid certain and established salaries to the chief justice, and each of the judges of such supreme court of judicature at *Madras*, as should be by the said new charter established; (that is to say), to the chief justice six thousand pounds by the year, and to each of the judges of the said supreme court of judicature at *Madras* five thousand pounds by the year; and that such salaries should be paid and payable to each and every of them respectively out of the territorial revenues of the said settlement of *Madras*, at an exchange of eight shillings for the pagoda of that settlement: And whereas by letters patent under the great seal of G. B., bearing date at *Westminster*, 26th Dec., 41 G. 3., H. M. did erect and establish such supreme court of judicature at *Madras* accordingly, and did grant, ordain, appoint, and declare that the chief justice and puisne judges of the said court should, so long as they should hold their offices respectively, be entitled to have and receive respectively the salaries in the said last mentioned act provided for that purpose: And whereas by the said recited act, 37 G. 3. c. 142. s. 9. [Stat. Dig. this title, pl. 409.], it is amongst other things enacted, that it should be lawful for His said Majesty, by charter or letters patent under the great seal of G. B., to erect and establish a court of judicature at *Bombay*, to consist of the mayor and three of the aldermen resident at the said settlement of *Bombay*, together with one other person to be named from time to time by His said Majesty, to be the president of the said court, and to be styled "The Recorder of *Bombay*;" and that during such time as the said settlement of *Bombay* should remain in the possession of the said united Co., the court of directors of the said united Co. should direct and cause to be paid to the recorder of the said court of judicature at *Bombay*, the yearly sum of five thousand pounds, such salary to be paid out of the revenues of the said settlement of *Bombay*, at an exchange of two shillings and sixpence for the *Bombay* rupee, and to commence and take place from such time as therein is mentioned: And whereas by letters patent under the great seal of G. B., bearing date at *Westminster*, 20th Feb., 38 G. 3., H. M. did erect and establish such court of the recorder of *Bombay* accordingly, and did grant and declare, that the recorder of the said court should, so long as he should hold the said office, be entitled to have and receive the salary in the said last mentioned act provided for that purpose: And whereas by 4 G. 4. c. 71. s. 7. 10. [ante, pl. 91, 94.] intituled, *An Act for defraying the charge of retiring pay, pensions, and other expences of that nature, of H. M.'s forces serving in India; for establishing the pensions of the bishop, archdeacons, and judges; for regulating ordinations; and for establishing a court of judicature at Bombay*, it is enacted as therein mentioned: And whereas by letters patent under the great seal of the U. K. of G. B. and *Ire.*, bearing date at *Westminster*, 8th Dec., 4 G. 4., H. M. did erect and establish such supreme court of judi-

cature at *Bombay* accordingly, and did grant and declare that the chief justice and puisne judges of the said court should, so long as they should hold their offices respectively, be entitled to have and receive respectively the salaries in the said last mentioned act provided for that purpose: And whereas by letters patent, bearing date at *Westminster*, 25th March, 47 G. 3., H. M. did, for himself, his heirs and successors, give and grant unto the said united Co. and their successors, and did direct, ordain, and appoint, that there should be within the factory of *Prince of Wales Island*, and the places then or any time to be subordinate or annexed thereto, a court of record, to be called "The Court of Judicature of *Prince of Wales Island*," and did thereby erect, create, and constitute the said court of judicature of *Prince of Wales Island* to be a court of record; and His said late Majesty did, by his said letters patent, further will, ordain, and appoint that the said court of judicature should consist of and be holden before the governor or president and the three counsellors of the said factory for the time being, as four of the judges of the said court, and before one other judge, to be called "The Recorder of the *Prince of Wales Island*," and which recorder of *Prince of Wales Island* it is ordained should be a barrister in *Eng.* or *Ire.*, of not less than five years standing, to be named and appointed from time to time by His said Majesty, by letters patent under the great seal of the U. K., and his said majesty did thereby further direct, that the said recorder of *Prince of Wales Island* should hold his office during pleasure, and did further direct, ordain, and appoint, that it should and might be lawful to and for the said recorder of *Prince of Wales Island* to receive from the said united Co. a salary equal to the yearly sum of three thousand pounds money current in that part of the U. K. called *Eng.*, to be calculated at the exchange of five shillings of the said lawful money for every dollar current within the said factory: And whereas by 53 G. 3. c. 155. s. 49. [Stat. Dig. this title, pl. 521.] intituled, *An Act for continuing in the E. I. Co. for a further term, the possession of the British territories in India, together with certain exclusive privileges, for establishing further regulations for the government of the said territories, and the better administration of justice within the same, and for regulating the trade to and from the places within the limits of the said Co.'s charter*, it is amongst other things enacted, that in case it should please H. M., by his royal letters patent under the great seal of the said U. K., to erect, found, and constitute one bishoprick for the whole of the said *British* territories in the *E. I.* and parts aforesaid, and from time to time to nominate and appoint a bishop, the court of directors of the said Co., during such time as the said territorial acquisitions should remain in the possession of the said Co., should and they were thereby required to direct and cause to be paid a certain established salary from and out of the revenues of the said presidency of *Fort William* in *Bengal*, to the said bishop, of five thousand pounds by the year, at an exchange of two shillings for the *Bengal* current rupee: And whereas by letters patent, bearing date at *Westminster*, 2d May 1814, 54 G. 3., H. M. did erect, found, and constitute such bishoprick accordingly: And whereas it is deemed expedient to make further and different provisions for the payment of the salaries of the judges of the said supreme courts of judicature at *Madras* and *Bombay* respectively, and to make provision for the payment to any of the puisne judges of the said supreme courts of judicature at *Fort William* in *Bengal*, and at *Madras* and *Bombay* respectively, who, during the vacancy of the office of chief justice in any of the said courts, shall execute and discharge the duties of chief justice, of the salary of the office of chief justice, in lieu of that of puisne judge, in respect of the time during which such puisne judge shall so execute and discharge the office of chief justice; and it is also expedient to make further provision for all such chief justices, bishops, judges, and recorders respectively, so as that the acceptance of such offices respectively shall not be the occasion of actual loss to their representatives in the event of the death of any such chief justices, bishops, judges, or recorders respectively, having taken place or hereafter taking place after their arrival in *India*; be it therefore enacted, That the court of directors of the said united Co. shall and they are hereby required to direct and cause to be paid to the chief justices and each of the puisne judges of the said supreme court of judicature at *Madras*, in lieu and stead of the salaries paid or payable to them respectively under or by virtue of the said recited acts of the thirty-ninth and fortieth years of His late Majesty's reign, in like manner and subject to the same regulations and provisions as the said salaries have been heretofore or are now paid and payable, and not otherwise, the salaries hereinafter mentioned; that is to say, to the chief justice of the said supreme court of judicature at *Madras*, the sum of fifty-eight thousand *Madras* rupees by the year, to be computed from the 1st Jan. 1818, to the time of the passing of this act [5th July, 1825], and from thenceforth a salary after the rate of sixty thousand *Madras* rupees by the year; and to each of the puisne judges of the said last mentioned court a salary after the rate of forty-eight thousand *Madras* rupees by the year, [to be computed as aforesaid, and from thenceforth a salary after the rate of fifty thousand *Madras* rupees by the year;] and that

such salaries shall be paid and payable to each and every of them respectively, out of the territorial revenues of the said settlement of *Madras*, 6 G. 4. c. 85. s. 1.

96. The court of directors of the said united Co. shall and they are hereby required to direct and cause to be paid to the chief justice and each of the puisne judges of the said supreme court of judicature at *Bombay*, in lieu and instead of the salaries paid or payable to them respectively under 4 G. 4. c. 71., in like manner and subject to the same regulations and provisions as the said salaries have been heretofore or are now paid or payable, and not otherwise, the salaries herein-after mentioned; that is to say, to the chief justice of the said supreme court of judicature at *Bombay* a salary after the rate of fifty-eight thousand *Bombay* rupees by the year, to be computed from the 8th *May* 1824, to the time of the passing of this act [5th *July* 1825], and from thenceforth a salary after the rate of sixty thousand *Bombay* rupees by the year; and to each of the puisne judges of the said last mentioned court the sum of forty-eight thousand *Bombay* rupees by the year, to be computed as aforesaid, and from thenceforth a salary after the rate of fifty thousand *Bombay* rupees by the year; and that such salaries shall be paid and payable to each and every of them respectively, out of the territorial revenues of the said settlement of *Bombay*, 6 G. 4. c. 85. s. 2.

97. The court of directors of the said united Co. shall and they are hereby required to direct and cause to be paid to each and every the person and persons who, during the period between the 1st *Jan.* 1818, and 8th *May* 1824, acted as recorder of *Bombay* as aforesaid, or to his or their executors or administrators, such further sums of money as shall, together with the salaries which have been paid to the recorder for the time being, make up a rate of salary to each of such persons so having acted as recorder as aforesaid, of forty-eight thousand *Bombay* rupees by the year; and that such further sum shall be paid and payable out of the territorial revenues of the said settlement of *Bombay*, 6 G. 4. c. 85. s. 3.

98. When and as often as it shall happen that in consequence of the vacancy of the office of chief justice in any of the said supreme courts of judicature at *Fort William* in *Bengal*, or at *Madras* or *Bombay* respectively, one of the puisne judges of the said courts respectively, shall preside for and exercise the office of such chief justice, such puisne judge so acting as chief justice during a vacancy, and until the arrival of the person appointed to succeed to the office of chief justice, shall be entitled to receive, in lieu of his proportion of salary as a puisne judge of such court, such a proportion of salary (and no more) as would have become due to such chief justice during the period while the vacancy shall be supplied by such puisne judge as aforesaid, and that the payment of such rate of salary to a puisne judge so acting or having acted as such chief justice in any of the said supreme courts respectively, shall commence and take effect from the 22d *Jan.* 1822, 6 G. 4. c. 85. s. 4.

99. In all cases from and since the said 22d *Jan.* 1822, in which it has already happened, or when and as often as it shall hereafter happen, that any chief justice or puisne judge of any of the said supreme courts of judicature at *Fort William* in *Bengal*, *Madras*, or *Bombay*, or the recorder of *Prince of Wales Island*, or any bishop of *Calcutta*, shall have departed or shall hereafter depart this life, either during his voyage to *India* or within six calendar months next after the day when he shall have arrived in *India* for the purpose of taking upon him the office of such chief justice or puisne judge, recorder, or bishop, the court of directors of the said united Co. shall and they are hereby required to pay, or direct and cause to be paid, out of the territorial revenues from which the salary of such chief justice or puisne judge, recorder, or bishop so dying shall be payable, to the legal personal representatives of such chief justice or puisne judge, recorder, or bishop so dying as aforesaid, such sum of money as shall, together with the sum paid to or drawn by such chief justice or puisne judge, recorder, or bishop, in respect of his salary, make up the full amount of one year's salary of the office to which he shall have been appointed; and that from and since the 1st *Jan.* 1823, when and as often as it shall have happened or shall hereafter happen that any such chief justice or puisne judge, recorder, or bishop, hath departed or shall depart this life while in possession of such office, and after the expiration of six calendar months from the time of his arrival in *India* for the purpose of taking upon him the office of chief justice, puisne judge, recorder, or bishop, then and in all and every of such cases the said court of directors shall and they are hereby required to pay, or direct and cause to be paid, out of the territorial revenues from which the salary of such chief justice, puisne judge, recorder, or bishop so dying shall be payable, to the legal personal representatives of such chief justice or puisne judge, recorder, or bishop respectively so dying as aforesaid, over and above what may have been due to such chief justice or puisne judge, recorder, or bishop respectively at the time of his death, a sum equal to the amount of six calendar months' salary of the office of such chief justice or puisne judge, recorder, or bishop respectively, 6 G. 4. c. 85. s. 5. [See s. 6. post, pl. 113.]

100. If any of the chief justices or puisne judges of the said supreme courts of judicature at *Fort William*, *Madras*, or *Bombay* respectively, or the recorder of the court of judicature of *Prince of Wales Island*, shall resign his office in consequence of age, infirmity, or other cause, to be approved by H. M., it shall and may be lawful for H. M., by warrants under the sign manual, to direct and authorize an allowance to be made out of the revenues of the *British* territories in *India*, to such chief justice, puisne judges, or recorder so resigning, subject to the limitations and restrictions herein-after provided; that is to say, provided that it shall not be lawful for H. M. to direct any such allowance to be made to any person who shall not have resided in *India* for five years, either as chief justice or as a puisne judge (or partly as one and partly as the other) of some or one of the said supreme courts, 6 G. 4. c. 85. s. 7.

101. Provided, that it shall not be lawful to direct any larger allowance to be made to any chief justice of the said supreme court of judicature at *Fort William*, than the sum of one thousand pounds sterling *per ann.* unless he shall have resided in *India* as such chief justice or puisne judge, or partly as one and partly as the other, for seven years; nor if he shall have so resided for seven years, shall it be lawful to direct any larger allowance to be made to him than the sum of one thousand three hundred pounds sterling *per ann.*, unless he shall have resided in *India* as such chief justice or puisne judge, or partly as one and partly as the other, for ten years; nor if he shall have so resided for ten years, shall it be lawful to direct any larger allowance to be made to him than the sum of two thousand pounds sterling *per ann.*, 6 G. 4. c. 85. s. 8.

102. Provided also, that it shall not be lawful to direct any larger allowance to be made to either of the chief justices of the said supreme courts of judicature at *Madras* or *Bombay*, than the sum of eight hundred pounds sterling *per ann.*, unless he shall have resided in *India* as such chief justice or puisne judge, or partly as one and partly as the other, for seven years; nor if he shall have so resided for seven years, shall it be lawful to direct any larger allowance to be made to him than the sum of one thousand pounds sterling *per ann.*, unless he shall have resided in *India* as such chief justice or puisne judge, or partly as one and partly as the other, for ten years; nor if he shall have so resided for ten years, shall it be lawful to direct any larger allowance to be made to him than the sum of one thousand six hundred pounds sterling *per ann.*, 6 G. 4. c. 85. s. 9.

103. Provided also, that it shall not be lawful to direct any larger allowance to be made to either of the puisne judges of the said supreme court of judicature at *Fort William*, than the sum of seven hundred and fifty pounds sterling *per ann.*, unless he shall have resided in *India* as such puisne judge for seven years; nor if he shall have so resided for seven years, shall it be lawful to direct any larger allowance to be made to him than the sum of one thousand pounds sterling *per ann.*, unless he shall have resided in *India* as such puisne judge for ten years; nor if he shall have so resided for ten years, shall it be lawful to direct any larger allowance to be made to him than the sum of one thousand five hundred pounds sterling *per ann.*, 6 G. 4. c. 85. s. 10.

104. It shall not be lawful to direct any larger allowance to be made to any one of the puisne judges of either of the said supreme courts of judicature at *Madras* or *Bombay* respectively, than the sum of six hundred pounds sterling *per ann.*, unless he shall have resided in *India* as such puisne judge for seven years; nor if he shall have so resided for seven years, shall it be lawful to direct any larger allowance to be made to him than the sum of eight hundred pounds sterling *per ann.*, unless he shall have resided in *India* as such puisne judge for ten years; nor if he shall have so resided for ten years, shall it be lawful to direct any larger allowance to be made to him than the sum of one thousand two hundred pounds sterling *per ann.*, 6 G. 4. c. 85. s. 11.

105. Provided, that it shall not be lawful for H. M. to direct any larger allowance to be made to any chief justice of any of the said supreme courts so resigning, than the amount by this act limited for the allowance to be made to the puisne judges of the court to which such chief justice shall belong, unless he shall have held the office of a chief justice of one of the said supreme courts during five years of his residence in *India*, 6 G. 4. c. 85. s. 12.

106. It shall not be lawful to direct any larger allowance to be made to the recorder of the said court of judicature of *Prince of Wales Island*, than the sum of five hundred pounds sterling *per ann.*, unless he shall have resided in *India* as such recorder for seven years; nor if he shall have so resided for seven years, shall it be lawful to direct any larger allowance to be made to him than the sum of six hundred and fifty pounds sterling *per ann.*, unless he shall have resided in *India* as such recorder for ten years; nor if he shall have so resided for ten years, shall it be lawful to direct any larger allowance to be made to him than the sum of one thousand pounds sterling *per ann.*, 6 G. 4. c. 85. s. 13.

107. Provided, that if any person having for any time resided in the *E. I.* as recorder of the said court of judicature of *Prince of Wales Island* shall have been or shall be appointed to the office of chief jus-

tice or puisne judge of either of the said supreme courts of *Fort William*, *Madras*, or *Bombay*, the period of residence of such person in the *E. I.* as such recorder of the said court of judicature of *Prince of Wales Island* shall be accounted and taken as and for a residence in *India* as a puisne judge of such courts respectively, in the proportion of three years' residence as such recorder to two years' residence as such puisne judge; and that if such person shall have resided in the *E. I.* partly as such recorder, and partly as such chief justice or puisne judge, it shall and may be lawful for H. M., in manner herein-before mentioned, to direct such allowance to be made to such person as might lawfully be directed in case such person had resided the whole of such time as such recorder, and had resigned the office of such recorder, although such person may not have resided in *India* for such length of time as to entitle him, under the provisions herein contained, to the allowance of a chief justice or puisne judge, 6 G. 4. c. 85. s. 14.

108. And whereas, under 53 G. 3. c. 155. s. 54. [Stat. Dig. this tit., pl. 526.] and 4 G. 4. c. 71. [s. 2, 3. ante, pl. 86, 87.], provision is made for granting a pension to the bishop of *Calcutta*, under the limitations therein contained, and it is expedient to make further provision in respect thereof; be it further enacted, That it shall and may be lawful for H. M., in manner in the 53 G. 3. c. 155. s. 54. mentioned, to grant to any such bishop who shall have exercised within the limits of the charter of the said united Co. the office of bishop of *Calcutta* for five years, a pension not exceeding one half of the sum which H. M., by the 53 G. 3. c. 155. is empowered to grant to any such bishop; and also to grant to any such bishop who shall have exercised within the limits aforesaid the said office of bishop of *Calcutta* for seven years, a pension not exceeding two-thirds of the sum which H. M. by 53 G. 3. c. 155. is empowered to grant to any such bishop, 6 G. 4. c. 85. s. 15.

109. Provided, that it shall not be lawful for H. M. to direct any such allowance to be made to any such chief justice, puisne judge, recorder, or bishop respectively, who, before he shall have held and exercised such office, or some or one of such offices, for the space of ten years in the whole, shall resign his said office for any other cause than in consequence of illness or infirmity, to be proved to the satisfaction of H. M., 6 G. 4. c. 85. s. 16.

110. The said salaries of such chief justice and judges shall commence and take place from and after their respectively taking upon them the execution of their office as aforesaid, and all such salaries shall be in lieu of all fees of office, perquisites, emoluments, and advantages whatsoever; and no fees of office, perquisites, emoluments, or advantages whatsoever, shall be accepted, received, or taken in any manner, or on any account or pretence whatsoever, other than such salaries or allowances as are in and by this act directed to be paid, 4 G. 4. c. 71. s. 11.

111. The said court of directors shall and they are hereby required to pay and advance to every person who shall be appointed chief justice of the said supreme court to be erected in pursuance of this act, and who shall be resident in the U. K. at the time of his appointment, the sum of one thousand two hundred pounds, and to every person who shall be appointed puisne judge of the said court, and who shall be resident in the U. K. at the time of his appointment, the sum of one thousand pounds for the purpose of defraying the expences of their equipment and voyage, 4 G. 4. c. 71. s. 12.

112. Provided, that when either of the judges of the supreme court of judicature which H. M. is hereby empowered to erect at *Bombay*, shall respectively leave *India*, the salary payable under and by virtue of this act to any such judge shall cease and be no longer paid, 4 G. 4. c. 71. s. 13.

113. So much of 37 G. 3. c. 142. s. 3. in part, [Stat. Dig. this title, pl. 401.], and 39 & 40 G. 3. c. 79. s. 8. [Stat. Dig. this title, pl. 402.], as relates to the time during which the chief justices, judges, and recorder of the courts therein mentioned are required to reside in *India* before any allowances can lawfully be made to them upon retirement, or which limits the amount in the whole to be paid on account of such allowances, shall be and the same is hereby repealed, 4 G. 4. c. 71. s. 14. Pensions to chief justices and judges of *Fort William*, *Madras*, *Bombay*, *Prince of Wales Island*, on resignation, 4 G. 4. c. 71. s. 15. [REP. 6 G. 4. c. 85. s. 6.]

114. Provided also, that if any person having for any time resided in the *E. I.* as recorder of the said court of judicature of *Prince of Wales Island*, shall have been or shall be appointed to the office of chief justice or puisne judge of either of the said supreme courts of *Fort William*, *Madras*, or *Bombay*, the period of residence of such person in the *E. I.* as such recorder of the said court of judicature of *Prince of Wales Island*, shall be accounted and taken as and for a residence in *India* as a puisne judge of such courts respectively, in the proportion of three years residence as such recorder, to two years residence as such puisne judge; and if such person shall have resided in the *E. I.* as such recorder, or as such chief justice or puisne judge for ten years, it shall be lawful for H. M., in manner herein-before mentioned, to direct such

allowances to be made to such person as might lawfully be directed in case such person had resided the whole of such time as such chief justice or puisne judge aforesaid, 4 G. 4. c. 71. s. 16.

115. It hath been, and is and shall be lawful for the supreme court of judicature at *Madras* within *Fort Saint George*, and the town of *Madras*, and the limits thereof, and the factories subordinate thereto, and within the territories which now are or hereafter may be subject to or dependant upon the government of *Madras*; and it shall be lawful for the said supreme court of judicature at *Bombay*, to be created by virtue of this act, within the said town and island of *Bombay* and the limits thereof, and the factories subordinate thereto, and within the territories which now are or hereafter may be subject to or dependant upon the said government of *Bombay*; and the said supreme courts respectively are hereby required, within the same respectively, to do, execute, perform, and fulfil all such acts, authorities, duties, matters and things whatsoever, as the said supreme court of *Fort William* is or may be lawfully authorized, empowered, or directed to do, execute, perform, and fulfil within *Fort William* in *Bengal* aforesaid, or the places subject to or dependant upon government thereof, 4 G. 4. c. 71. s. 17.

116. Provided, that nothing in this act contained shall extend to affect any warrant which may have been granted by H. M. before the passing of this act, in virtue of any act now in force for the payment of a pension to any person who has resigned the office of chief justice or judge of the supreme court of judicature at *Fort William* in *Bengal*, or at *Madras*, nor to affect the power of H. M. to grant such warrants in favour of any person now exercising the office of chief justice or judge; and that any such warrant and warrants shall be obligatory on the said Co., in like manner and under the same restrictions and provisions as if this act had not passed, 4 G. 4. c. 71. s. 18.

117. For transferring to the *E. I. C.* certain possessions newly acquired in the *E. I.*, and for authorizing the removal of convicts from *Sumatra*, 5 G. 4. c. 108. [See 6 G. 4. c. 85. s. 19. pl. 123.]

118. Whereas by 53 G. 3. c. 155. s. 1. [Stat. Dig. tit. EAST INDIA COMPANY, pl. 463.], it was enacted, that the territorial acquisitions mentioned in 33 G. 3. c. 32. [Stat. Dig. this title, pl. 253.], together with such of the territorial acquisitions obtained since that act was passed upon the continent of *Asia*, or in any islands situate north of the equator, as were then under the government of the *E. I. C.*, with the revenues thereof, should remain with the said Co., subject to such powers as therein specified, from 10th April 1814, for the term in 53 G. 3. c. 155. s. 3. [Stat. Dig. this tit., pl. 465.] mentioned; and whereas the island of *Singapore* in the *E. I.*, has, since the passing of the said act, been occupied by the said united Co.; and that, by a treaty concluded between H. M. and the King of the *Netherlands*, on the 17th March, 1824, the King of the *Netherlands* has agreed that all his establishments on the continent of *India*, and also the town and fort of *Malacca*, and its dependencies, shall be ceded to H. M.; and it is by the said treaty further stipulated, that the factory of *Bencoolen*, and all the *English* possessions in *Sumatra*, shall be ceded to H. M. the King of the *Netherlands*: be it therefore enacted, That the said island of *Singapore*, and also all the colonies, possessions, and establishments ceded to H. M. by the said treaty, shall be transferred to the united Co. of merchants of *Eng.* trading to the *E. I.*, and holden by the said Co. in the same manner, and subject to the same authorities, restrictions, and provisions, as the factory of *Bencoolen*, and the possessions in the island of *Sumatra*, were vested in and holden by the said Co. before the conclusion of the said treaty, 5 G. 4. c. 108. s. 1.

119. And whereas sundry persons are or may be suffering the punishment of transportation in, or may be under sentence of transportation to the island of *Sumatra*, by authority of courts exercising jurisdiction within the several *British* presidencies or governments in the *E. I.*: it is therefore enacted, That it shall be lawful for the government under whose authority any such person shall have been transported to the island of *Sumatra*, to order and direct, either absolutely, conditionally, or provisionally, that such person, if within the said island, shall be removed therefrom, and transported for the remainder of his or her sentence to any other place to which he or she might originally have been transported; and it shall be lawful for any such government to order and direct that any person under sentence of transportation to the said island of *Sumatra*, and not actually transported there, shall be transported to any other place to which he or she might originally have been transported; and the several governments of the said *British* presidencies and settlements in the *E. I.* are hereby required to take order for such removal or change of place of transportation, in the same manner as they are now required by law to take order for such removal or change of place of transportation, for the due performance of any sentence of transportation: provided, that no such order for removal, which shall be inconsistent with any indentures or contract

of service which any person transported may be subject to, shall be carried into execution without the consent of the parties entitled to the benefit of such indentures or contract, 5 G. 4. c. 108. s. 2.

120. For authorizing the transportation of offenders from the island of *Saint Helena*, and for more effectually providing for the administration of justice in *Singapore* and *Malacca*, and certain colonies on the coast of *Coromandel*, 6 G. 4. c. 85. s. 17. to the end [See residue of this act, ante, pl. 95—109.]

121. And whereas it is expedient that the governor and council appointed by the said united Co. in and for the island of *Saint Helena* should be empowered, when acting as a court of oyer and terminer and gaol delivery, to order offenders to be transported from the said island to such places as are herein-after mentioned or referred to: be it therefore enacted, That when any person shall have been convicted before the said governor and council of the said island of *Saint Helena*, sitting and acting as a court of oyer and terminer and gaol delivery, of the crime of grand or petit larceny, or of any other offence for which such person or persons would before the passing of this act have been liable by the laws of this realm to be transported, it shall and may be lawful for the governor and the council of the said island to order and adjudge that such person so convicted as aforesaid shall be transported, for such term of years as such governor and council shall direct, to *New South Wales*, or any other place to which by virtue of any law now in force he, she, or they might have been transported, or sentenced to be transported, by or by the sentence of any court exercising jurisdiction within the several *British* presidencies or governments in the *E. I.*; and where any person shall hereafter be convicted of any crimes whatever, for which he is or shall be by the laws of this realm in force within the said island of *Saint Helena* excluded from the benefit of clergy, it shall and may be lawful to and for the said governor and council, as they shall see fit, instead of awarding sentence of execution against such offender, to order such offender to be in like manner transported, either for life, or for such number of years as the said governor and council shall award and order; and the governor and council of the said island are hereby authorized and required to take the necessary measures for the due performance of such sentences and awards of transportation accordingly, 6 G. 4. c. 85. s. 17.

122. If any offender so sentenced or ordered to be transported as aforesaid, shall return to the said island of *Saint Helena*, or come into any of the territories or acquisitions of H. M., or of the said united Co. in the *E. I.*, or shall come into any part of *G. B.* or *Ire.*, before the end of the term for which he or she shall be so sentenced or ordered to be transported as aforesaid, he or she so returning or coming as aforesaid, shall be liable to be punished as a person attainted of felony, without benefit of clergy, and execution shall and may be awarded against such offender accordingly: provided nevertheless, that nothing herein contained shall be construed or taken to prevent H. M. from extending his royal mercy to any such offender, or from allowing the return of such offender from such place of transportation, 6 G. 4. c. 85. s. 18.

123. And whereas under 42 G. 3. c. 29. intituled, *An Act to authorize the E. I. C. to make their settlement at Fort Marlborough in the E. I. a factory subordinate to the presidency of Fort William in Bengal, and to transfer the servants, who on the reduction of that establishment shall be supernumerary, to the presidency of Fort Saint George; and* 5 G. 4. c. 108. [ante, pl. 117.] intituled, *An Act for transferring to the E. I. C. certain possessions newly acquired in the E. I., and the removal of convicts from Sumatra, the island of Singapore in the E. I., and the town and fort of Malacca and its dependencies, and all the colonies, possessions, and establishments ceded by H. M. the King of the Netherlands to His said present Majesty King George the Fourth, by a treaty concluded between their said Majesties on the 17th March 1824, have become and now are factories subordinate to the presidency of Fort William in Bengal, and thereby, by virtue of 39 & 40 G. 3. c. 79. [Stat. Dig. this tit. pl. 429.] intituled, *An Act for establishing further regulations for the government of the British territories in India, and the better administration of justice within the same*, are subject to the jurisdiction of the supreme court of judicature of *Fort William* aforesaid; and it may be expedient that some other provision should be made for the administration of justice within the said island and other places aforesaid; be it therefore enacted, That it shall and may be lawful to and for H. M. by letters patent under the great seal of *G. B.* or in any other lawful manner, to make such provision for the administration of justice in civil, criminal, ecclesiastical and admiralty matters arisen and to arise within the said island of *Singapore*, and the said town and fort of *Malacca* and its dependencies, as by his royal prerogative he might have done if the said last-mentioned act had never been made or passed; and in case any such provision shall be made by H. M., then the said island, and the said town and fort and its dependencies, from the time or several times when such provision shall take effect, or from any other time or times to be appointed by H. M. and*

all the inhabitants of the said island, and the said town, fort, and its dependencies, and other persons being thereon, shall cease to be subject to and shall be wholly exempt from the jurisdiction of the said supreme court; the said last mentioned act, or any other law or statute to the contrary thereof in anywise notwithstanding, 6 G. 4. c. 85. s. 19.

124. From and after the 1st Jan. next [1826], the colonies, possessions, and establishments so ceded to H. M. and which are situate on the coast of *Coromandel*, or in the northern circars in the *E. I.*, and all the inhabitants of the said colonies, possessions, and establishments, and all other persons being therein, shall cease to be subject to, and shall be wholly exempt from the jurisdiction of the said supreme court of judicature in *Bengal*; and the said colonies, possessions, and establishments, and all the inhabitants thereof, and all other persons being therein, shall be subject and amenable to the jurisdiction and authority of the supreme court of judicature at *Fort Saint George* in the *E. I.*, in like manner as any other place, being or deemed to be a factory subordinate to the government of *Fort Saint George*, and the inhabitants thereof, whether *Europeans* or natives, as the case may be, is or are or ought to be liable and amenable thereto; the 39 & 40 G. 3. c. 79. [Stat. Dig. this tit. pl. 429.] or any other law or statute, to the contrary thereof in anywise notwithstanding, 6 G. 4. c. 85. s. 20.

125. It shall and may be lawful for the court of directors for the time being of the said united Co., to declare and appoint that the said island of *Singapore*, and the said town and port of *Malacca* and its dependencies, and the colonies, possessions, and establishments so ceded as aforesaid, or any of them, shall cease to be factories or a factory subordinate to the said presidency of *Fort William* in *Bengal*, and that they shall be annexed to and be considered as and be part of the settlement of *Prince of Wales Island*, or as factories, or a factory subordinate to the said presidency of *Fort Saint George*, or to any presidency or government of the said united Co., or that they or any of them shall be independent settlements or an independent settlement, subject to such government as the said united Co., under and by virtue of the charters granted to them or otherwise, may lawfully appoint, and from time to time, as occasion may require, to revoke and alter such appointments or appointment, and to place the said island, town, fort, and its dependencies, and the said colonies, possessions, and establishments, under such presidency or government, or to be independent, as to them shall seem fit and expedient, subject nevertheless to the superintendence, direction and controul of the commissioners for the affairs of *India*, in like manner as any acts or orders of the said court of directors are now by law subject; and the said island, town, fort, and its dependencies, colonies, possessions, and establishments, so ceded as aforesaid, and the revenues thereof, and the civil servants connected therewith respectively, shall, from and after the time to be by the said court of directors limited and appointed, be to all intents and purposes annexed to the presidency or government to be appointed in manner aforesaid, or such island and places aforesaid shall be an independent settlement or independent settlements, and the revenues and civil servants thereof shall be annexed thereto, according to the true intent and meaning of such appointment as aforesaid; any law or statute to the contrary thereof in anywise notwithstanding, 6 G. 4. c. 85. s. 21.

III. Trade and Shipping.

126. To authorize the *E. I. C.* to trade from *China* to the *British* colonies and plantations in *America*, 5 G. 4. c. 88. [REP. 6 G. 4. c. 105. s. 387. See 6 G. 4. c. 114. s. 47. tit. NAVIGATION.]

127. The *Moffat* and *Juliana*, Co.'s vessels, were the first employed in this new trade, and arrived at *Quebec* direct from *China*, in April 1825.

128. To consolidate and amend the several laws now in force with respect to trade from and to places within the limits of the charter of the *E. I. C.*, and to make further provisions with respect to such trade; and to amend an act of the present session of parliament [viz. 4 G. 4. c. 41.], for the registering of vessels, so far as it relates to vessels registered in *India*, 4 G. 4. c. 80.

129. Whereas 53 G. 3. c. 155. was passed, intituled, *An Act for continuing in the E. I. C., for a further term, the possession of the British territories in India, together with certain exclusive privileges, for establishing further regulations for the government of the said territories and the better administration of justice within the same, and for regulating the trade to and from the places within the limits of the said Co.'s charter*: And whereas by the said act, s. 6. [Stat. Dig. this tit. pl. 468.] it was enacted, that it should be lawful for any of H. M.'s subjects, in common with the said united Co., to export, in ships navigated according to law, from any port within the U. K. of *G. B.* and *Ire.*, to all ports and places within the limits of the said Co.'s charter, save and except the dominions of the emperor of *China*, any goods, wares, and merchandize which could then

or might at any time or times thereafter be legally exported; and also in common with the said Co., to import, in ships navigated as aforesaid, from any port within the limits aforesaid, save and except as aforesaid, into the said U. K., any goods, wares, and merchandize, the produce and manufacture of any of the countries within the said limits, which could then or might at any time or times thereafter be legally imported; and in the said act were contained several provisoes, restrictions, and limitations for the regulation of the trade authorized by the said act to be carried on by H. M.'s subjects, and also for the disposition in the U. K. of all articles manufactured of silk, hair, or cotton wool, or any mixture thereof, imported under the authority of the said act, from any port or place within the limits of the said Co.'s charter; and it was by the said act enacted, that it should be lawful for any ship or vessel fitted and clearing out conformably to 35 G. 3. c. 92. [Stat. Dig. tit. FISHERIES, pl. 504.] intituled, *An Act for the further encouraging and regulating the southern whale fisheries*, to sail and pass, for the purpose aforesaid, in all the seas to the eastward of the *Cape of Good Hope*, and in all the seas to the westward of the *Streights of Magellan*, subject to several provisoes in the said act contained; and it was also enacted by the said act, [s. 20. Stat. Dig. tit. FISHERIES, pl. 333.] that nothing therein contained should extend to prevent the making, during the further term thereby granted to the said Co., such further provisions, by authority of parliament, as might from time to time be deemed necessary for enabling H. M.'s subjects to carry on trade and traffic, directly or circuitously, as well between all ports and places situate without the limits of the said Co.'s charter, and all ports and places (except the dominions of the Emperor of China) situate within those limits, as between the said U. K. and all the last mentioned ports and places, except as aforesaid, but without prejudice to any of the restrictions or provisions therein contained, as to the resort to and residence of any persons in the *E. I.* and ports aforesaid: and whereas 54 G. 3. c. 34. was passed, intituled, *An Act for the Further regulation of the trade to and from the places within the limits of the charter of the E. I. C.*: and 55 G. 3. c. 116. intituled, *An Act to make further regulations for the registry of ships built in India*: and 57 G. 3. c. 36. intituled, *An Act to regulate the trade to and from the places within the limits of the charter of the E. I. C., and certain possessions of H. M. in the Mediterranean*: and 1 & 2 G. 4. c. 65. intituled, *An Act for the further regulation of trade to and from places within the limits of the charter of the E. I. C. (except the dominions of the Emperor of China), and ports or places beyond the limits of the said charter, belonging to any state or country in amity with H. M.*; were passed, by which several acts provision has been made for enabling, as well H. M.'s subjects generally, as the said united Co., to carry on trade and traffic, directly and circuitously, under certain restrictions, with the *E. I.* and other places within the limits of the said Co.'s charter: and whereas 59 G. 3. c. 122. was passed, intituled, *An Act to permit vessels under a certain tonnage to trade between the U. K. and New South Wales*: and whereas it is expedient to repeal some, and to comprise in one act of parliament others of the herein-before recited provisions of the 53 G. 3. c. 155., and all the provisions of the 54 G. 3. c. 34., 55 G. 3. c. 116., 57 G. 3. c. 36., 59 G. 3. c. 122., and 1 & 2 G. 4. c. 65., and to make further provision for the trade and traffic of the said Co., and of H. M.'s subjects generally, from, to, and between the ports and places within the limits of the said Co.'s charter, and all countries belonging to H. M., or at amity with him; be it therefore enacted, That so much of the 53 G. 3. c. 155. [viz. ss. 6—20. 40, 41. Stat. Dig. this title, pl. 468. 476-490. 507. 513.] as authorizes H. M.'s subjects to carry on trade and traffic to and from the ports and places within the limits of the said Co.'s charter, with all the provisions, restrictions, and limitations in the same act contained, for the regulation of such trade, and for the disposition in the U. K. of all articles manufactured of silk, hair, or cotton wool, or any mixture thereof, imported under the authority of the said last-mentioned act from any port or place within the limits of the said Co.'s charter; and that the whole of the said acts of 54 G. 3. c. 34. [Stat. Dig. this title, pl. 469. 472, 475.], 55 G. 3. c. 116. [Stat. Dig. this title, pl. 662-671.], 57 G. 3. c. 36. [Stat. Dig. this title, pl. 576-588.], 59 G. 3. c. 122., and 1 & 2 G. 4. c. 65. [Stat. Dig. this title, pl. 470-475.], be and the same are hereby repealed, except as to such voyages and adventures as shall have been actually commenced under the authority of the same acts, or any of them; and except as to any suits or actions which may have been commenced and are now depending relative to the provisions hereby repealed, 4 G. 4. c. 80. s. 1.

130. It shall be lawful for any of H. M.'s subjects, in ships or vessels registered and navigated according to law, to carry on trade and traffic in any goods, wares, or merchandize, except tea, as well directly as circuitously, between all ports and places belonging either to H. M., or to any prince, state, or country at amity with H. M., and all ports and places whatsoever situate within the limits of the charter of the Co., except the dominions of the Emperor of China; and also from port to port and from place to place within the same limits, except the

said dominions of the Emperor of China, under such rules and restrictions as are herein-after mentioned; any thing in any act of parliament, or in any charter of the said Co., to the contrary notwithstanding, 4 G. 4. c. 80. s. 2.

131. It shall be lawful for the said united Co. to carry on any trade and traffic which H. M.'s other subjects may carry on under the authority of this act; any thing in any charter of the said Co., or in any act of parliament, to the contrary notwithstanding, 4 G. 4. c. 80. s. 3.

132. Provided, that nothing herein contained shall extend to permit the importation into the U. K., or into any colony or possession of H. M. without the limits of the charter of the *E. I. C.*, of any goods, wares, and merchandize, the produce of countries without such limits, which cannot now be legally imported from such countries respectively into the U. K., or into such colonies or possessions of H. M., nor to permit the exportation from the U. K., or from such colonies or possessions, to any countries without such limits, of any goods, wares, or merchandize, which cannot now be legally carried from the U. K., or from such colonies or possessions to such countries, 4 G. 4. c. 80. s. 4.

133. Provided, that it shall not be lawful for any person to carry any military stores to any place upon the continent of Asia, between the river *Indus* and the town of *Malacca* on the peninsula of *Malacca* inclusive, or to the said Co.'s factory of *Bencoolen*, in the island of *Sumatra*, or its dependencies [see 5 G. 4. c. 108. ante, pl. 117.], save only the said united Co., or such as shall obtain their special leave and licence in writing, or a special leave and licence in writing under their authority for that purpose, 4 G. 4. c. 80. s. 5.

134. Provided, that it shall not be lawful for any ship or vessel, other than a ship or vessel of the said Co., to proceed from any port or place without the limits of the said Co.'s charter, to any port or place on the continent of Asia, between the river *Indus* and the town of *Malacca* inclusive, other than the said Co.'s principal settlements of *Fort William*, *Fort Saint George*, *Bombay*, and *Prince of Wales Island*, until after such ship or vessel shall have been admitted to entry at some one of the said four principal settlements, without a special licence in writing from the court of directors of the said united Co., 4 G. 4. c. 80. s. 6.

135. Provided, that when and as often as any application shall be made to the said court of directors for a licence, specially authorizing any ship or vessel to proceed to any place or places upon the continent of Asia from the river *Indus* to the said town of *Malacca* inclusive, other than the said four principal settlements, the said court of directors shall, within fourteen days from the receipt thereof, unless they shall think fit to comply therewith, transmit the same to the board of commissioners for the affairs of India, together with any representation which the said court may think proper to make upon the subject of such application; and in case the said board of commissioners shall think fit to direct the said court of directors to issue such licence, the said court of directors shall forthwith issue the same, upon such terms and conditions as the said board of commissioners shall from time to time think fit: provided, that in all cases in which the said board of commissioners shall direct the said court of directors to issue any such licence, which they shall have declined to issue without such direction, the special circumstances inducing them to give such directions shall be recorded in the books of the said board, 4 G. 4. c. 80. s. 7.

136. Provided, that it shall be lawful for the said court of directors of the *E. I. C.*, with the consent and approbation of the commissioners for the affairs of India, to declare that any other port or place, or ports or places on the continent of India, between the *Indus* and the town of *Malacca*, or in any island in the *E. I.* seas, under the government of the said Co. or of H. M., shall be considered, for the purposes of this act only, as one of the principal settlements of the said Co., and such port or place, or ports or places shall be so considered accordingly, 4 G. 4. c. 80. s. 8.

137. Provided, that nothing herein contained shall authorize any of H. M.'s subjects, other than the said Co., or persons properly licensed by them, to carry on trade or traffic with the dominions of the Emperor of China, or to export or import from or to any ports or places within or without the limits of the said Co.'s charter, any tea, or in any manner to trade or traffic in tea, 4 G. 4. c. 80. s. 9.

138. Provided, that it shall not be lawful to import any goods, wares, or merchandize from any port or place within the limits aforesaid, into any port of the U. K., except only such as shall be provided with warehouses, together with wet docks or basins, or such other securities as shall in the judgment of the said commissioners of the treasury for the time being, or any three or more of them, in *G. B.* and *Ire.* respectively, be fit and proper for the deposit and safe custody of all such goods, wares, and merchandize, as well as for the collection of all duties payable thereon, and shall have been duly declared so to be, by the order of H. M. in council in *G. B.*, or by order of the lord lieutenant in council in *Ire.*: provided, that copies of all such orders in council, to be issued as aforesaid, shall have been published three times at least in the *London* or *Dublin Gazette*, as the case may be; and copies of all such

orders shall be laid before both houses of parliament in the session next after the issuing of the same respectively, 4 G. 4. c. 80. s. 10.

139. Provided, that it shall not be lawful for any ship or vessel engaged in trade under the authority of this act, other than the ships of the said united Co., to clear out from any port or place belonging to H. M., or to any prince, state, or country in amity with H. M., where any consul or vice-consul of H. M. shall be resident; for any port or place under the government of H. M. or of the said Co., situate more to the northward than eleven degrees of south latitude, and between the sixty-fourth and the one hundred and fiftieth degrees of east longitude from London, until the master or other person having the command of such ship or vessel shall have made out and exhibited to the collector of the customs, or other person duly appointed, or to H. M.'s consul or vice-consul resident at such port or place of clearance (as the case may be), a true and perfect list in such form as has been settled in virtue of former acts, or shall from time to time be settled by the court of directors of the said Co., with the approbation of the board of commissioners for the affairs of India, specifying and setting forth the names, capacities, and descriptions of all persons embarked or intended to be embarked on board such ship or vessel, and all arms on board or intended to be put on board the same: and when as soon as any such vessel shall have been admitted to entry at any such port or place within the limits aforesaid, the master and other person having the command of such ship or vessel, shall in like manner make out and exhibit to the principal officer of the customs, or other person thereunto authorized, a true and perfect list, in form to be settled as aforesaid, specifying the names, capacities, and descriptions of all persons on board, or who shall have been on board such ship or vessel from the time of the sailing thereof to the time of arrival, and of all arms on board, or which shall during that time have been on board such ship or vessel, and the several times and places at which such of the said persons as may have died or left such ship or vessel, or such of the said arms as may have been disposed of, have been disposed of, 4 G. 4. c. 80. s. 11.

140. So much of the 53 G. 3. c. 155. s. 32. [Stat. Dig. this title, pl. 499.], and of 38 G. 3. c. 57. s. 5, 6. [Stat. Dig. tit. FISHERIES, pl. 327, 328.], intituled, *An Act for the further encouraging the southern whale fisheries*, 42 G. 3. c. 18. [Stat. Dig. tit. FISHERIES, pl. 329.], intituled, *An Act for continuing the premiums allowed to ships employed in and for enlarging the limits of the southern whale fisheries*; and an act 43 G. 3. c. 90. [Stat. Dig. tit. FISHERIES, pl. 330.], intituled, *An Act for enlarging the limits of the southern whale fishery*; and 51 G. 3. c. 34. [Stat. Dig. tit. FISHERIES, pl. 331.], intituled, *An Act for continuing the premiums allowed to ships employed in the southern whale fishery*; or any other act, as regulates the limits within which ships or vessels fitting and clearing out conformably to 35 G. 3. c. 92., for encouraging and regulating the southern whale fisheries, may sail and pass, shall be and the same are hereby repealed; but ships and vessels clearing out conformably to 35 G. 3. c. 92. [Stat. Dig. tit. FISHERIES, pl. 304.], shall be subject to such and the same restrictions as the ships and vessels of H. M.'s subjects generally engaged in trade under the authority of this act are hereby made subject to, 4 G. 4. c. 80. s. 12.

141. All goods and commodities imported under this act into the island of Malta or its dependencies, or into the port of Gibraltar, from any ports or places within the limits of the said Co.'s charter, may be re-exported from the said island, port, or places to the U. K., and imported into any of the ports where such goods and commodities may be lawfully imported, in like manner and subject to all such regulations and provisions, as if such goods and commodities were imported directly from the place of their growth, production, or manufacture; any thing in 5 G. 4. c. 43. [post, tit. NAVIGATION.], intituled, *An Act for the encouragement of navigation and commerce, by regulating the importation of goods and merchandize, so far as relates to the countries or places from whence and the ships in which such importation shall be made*, or in any other act to the contrary notwithstanding, 4 G. 4. c. 80. s. 13.

142. From and after the passing of this act [18th July 1823.] there shall be raised, levied, collected, and paid unto H. M., his heirs and successors, upon the importation of any goods, wares, and merchandize, the produce or manufacture of any country within the limits of the said Co.'s charter, into H. M.'s possessions in America and the West Indies, from any port or place, not being a port or place in the U. K., the same duties which are payable on such goods, wares, and merchandize respectively, if imported into such possessions from the U. K. [see 3 G. 4. c. 45. post, tit. NAVIGATION.]; and the same shall be raised, levied, collected, paid, and received under the management of the commissioners of the customs in Eng., and shall be applied and appropriated in such and the like manner and form, and by such and the like rules, ways, means, and methods respectively, and under such penalties and forfeitures, as the duties authorized by 3 G. 4. c. 45., intituled, *An Act to regulate the trade between H. M.'s possessions in America and the West Indies, and other parts of the world*, are or may be raised,

levied, collected, paid, recovered, applied, and appropriated, 4 G. 4. c. 80. s. 14.

143. Provided, that nothing in this act contained shall in anywise affect the power vested in H. M. in council, by 1 G. 4. c. 11., intituled, *An Act to continue, until the 5th July 1825, an act of the fifty-seventh year of His late Majesty, for regulating the trade and commerce to and from the Cape of Good Hope, and for regulating the trade of the island of Mauritius*: and that nothing herein-before contained shall extend to affect the regulations, restrictions, and provisions contained in 54 G. 3. c. 36., intituled, *An Act to repeal the duties of customs payable on goods, wares, and merchandize imported into G. B. from any port or place within the limits of the charter granted to the united Co. of merchants of Eng. trading to the E. I., and to grant other duties in lieu thereof*; and to establish further regulations for the better security of the revenue on goods so imported; and to alter the periods of making up and presenting certain accounts of the said Co. to parliament; to continue in force until the tenth day of April, one thousand eight hundred and nineteen; or in 54 G. 3. c. 103., intituled, *An Act to grant, until the tenth day of April, one thousand eight hundred and nineteen, certain duties on goods, wares, and merchandize imported into Ire. from any port or place within the limits of the charter granted to the united Co. of merchants of Eng. trading to the E. I., and to establish further regulations for the better security of the revenue on goods so imported*; or in 55 G. 3. c. 10., intituled, *An Act to make further provision respecting the duties payable upon E. I. goods, and to allow bond to be given for payment of such duties upon such goods when imported by private traders*; or in 59 G. 3. c. 33., intituled, *An Act to continue, until the first day of July, one thousand eight hundred and twenty-one, several acts of the fifty-fourth and fifty-fifth years of His present Majesty, respecting the duties of customs payable on merchandize imported into G. B. from any place within the limits of the charter granted to the united Co. of merchants of Eng. trading to the E. I.*; or in 59 G. 3. c. 52., intituled, *An Act to repeal the several duties of customs chargeable in G. B., and to grant other duties in lieu thereof*; or in 1 & 2 G. 4. c. 106., intituled, *An Act to continue, until the first day of July, one thousand eight hundred and twenty-four, several acts of His late Majesty respecting the duties of customs payable on merchandize imported into G. B. and Ire. from any place within the limits of the E. I. Co.'s charter, and to increase the duties payable on the importation of sugar from the E. I., until the twenty-fifth day of March, one thousand eight hundred and twenty-three in G. B., and until the first day of July, one thousand eight hundred and twenty-four in Ire.*, 4 G. 4. c. 80. s. 15.

144. Provided, that nothing in this act contained shall extend to repeal any of the provisions of the 55 G. 3. c. 155. s. 38. &c. [Stat. Dig. this title, pl. 505.] concerning the resort of persons to the E. I., or other places within the limits of the Co.'s charter, or to permit any persons engaged in trade under the authority of this act to reside at any place on the continent of Asia between the river Indus and the town of Malacca, or at the said Co.'s factory of Bencoolen or its dependencies [see 5 G. 4. c. 108. ante, pl. 117.], without permission duly obtained, in conformity to the said act of the said Co., 4 G. 4. c. 80. s. 16.

145. Provided, that nothing in this act contained shall extend to repeal or affect any of the powers, provisions, clauses, matters, or things contained in an act, 33 G. 3. c. 52. [Stat. Dig. this title, pl. 253, et seq.] intituled, *An Act for continuing in the E. I. Co. for a further term the possession of the English territories in India, together with their exclusive trade, under certain limitations; for establishing further regulations for the government of the said territories, and the better administration of justice within the same; for appropriating to certain uses the revenues and profits of the said Co.; and for making provision for the good order and government of the towns of Calcutta, Madras, and Bombay*; or in 33 G. 3. (Ir.) intituled, *An Act for regulating the trade of Ire. to and from the E. I., under certain conditions and provisions, for a time therein mentioned*; for the purpose of restraining clandestine and illicit trade into and from the E. I. and parts within the limits of the said Co.'s charter; or in the said act of the 53 G. 3. c. 155., relative to such clandestine and illicit trade; but that the same shall be deemed to be and continue in force, and to apply to all ships and vessels of H. M.'s subjects, other than the ships of the said Co., sailing or being found within the limits of said Co.'s charter, and not having complied with the directions of this act, and to all and every person who shall be found on board the same, or shall have been conveyed on board the same into any place within the said limits, and also to every person who shall be found at any place on the continent of Asia between the river Indus and the town of Malacca, or at the said Co.'s factory of Bencoolen or its dependencies, or at any place within the dominions of the Emperor of China, contrary to the true intent and meaning of the 53 G. 3. c. 155., or of this act, 4 G. 4. c. 80. s. 17.

146. If any commander or other officer of any ship or vessel engaged in trade under this act, shall knowingly and wilfully take on board, or connive at the taking on board any person, or exhibit any false or in-

complete list of the persons embarked or intended to be embarked on board of his vessel, contrary to the true intent and meaning of the 53 G. 3. c. 155., or of this act, every such commander or officer who shall offend therein, shall incur and forfeit for every offence one hundred pounds, to be recovered in such and the same manner as the penalties imposed by the said acts [so in the act, but qu. only, 53 G. 3. c. 155.,] or either of them, are thereby made recoverable; one half part of each penalty shall belong to such person who shall inform or sue for the same, and the other half part to the said united Co.; and if the said united Co. shall inform or sue for the same, then the whole of the said penalty shall belong to the said Co., 4 G. 4. c. 80. s. 18.

147. Whereas by 4 G. 4. c. 41., intituled, *An Act for the registering of vessels*, provision is made for registering ships and vessels in territories, countries, islands, and places under the government of the E. I. C.; be it enacted, That all ships and vessels so registered shall have all the rights and privileges of trade which ships and vessels registered in any other possession of H. M. have by virtue of the said act or of any other law in that behalf, and shall be subject to such and the like regulations and provisions as such ships and vessels registered in other possessions of H. M. are subject to, and to none other save as herein-after provided with respect to the crews of such ships and vessels, 4 G. 4. c. 80. s. 19.

148. Provided, that no Asiatic sailors, *Lascars*, or natives of any of the territories, countries, islands, or places within the limits of the charter of the E. I. C., although born in territories, countries, islands, or places under the government of H. M., or of the E. I. C., shall at any time be deemed or taken to be British sailors, seamen, or mariners, within the intent of 34 G. 3. c. 68., intituled, *An Act for the further encouragement of British mariners, and for other purposes therein mentioned*, or of any other act of parliament relating to the navigation of British ships by subjects of H. M., for the purpose of entitling any ship or vessel to be deemed to be a British ship navigated according to law, and to have the privileges and advantages of British ships having the master and three fourths of the mariners British subjects: provided also, that it shall be lawful for H. M., by his royal proclamation, upon or after the commencement of any hostilities, to permit all merchant ships or any other trading vessels, and all privateers, to be manned wholly, or in any such proportions as shall be specified in any such proclamation, with such Asiatic sailors, *Lascars*, or natives aforesaid, for and during such periods as shall be specified in any such proclamation as aforesaid, 4 G. 4. c. 80. s. 20.

149. And whereas *Lascars* and other natives of the East are not deemed to be equal in strength and use to European or other seamen, and the requiring the proportion of three fourths of British seamen in ships having as part of the crew *Lascars* and natives of the East, would compel such ships to carry a larger number of British seamen than other ships, or to employ a smaller number of *Lascars* and natives of the East than would be sufficient to make a proper crew; be it therefore enacted, That any ship or vessel duly registered, manned in part with *Lascars* or natives of India, which shall be commanded by a British master, and navigated by four British seamen, as part of the crew, for every hundred tons of her registered burthen, and so in proportion for any part of a hundred tons, shall be deemed, construed, and taken to be navigated according to law as to the crew of any such ship or vessel, although the number of such British seamen shall not be equal to the proportion of three fourths of the whole crew of such ship or vessel; any thing in any act of parliament, or law, to the contrary notwithstanding, 4 G. 4. c. 80. s. 21.

150. And whereas it may not always be possible to procure the due proportion of British seamen at ports in India, for vessels sailing from India; be it therefore enacted, That it shall be lawful for any of the governments of the E. I. C. in India, or for any governor or lieutenant-governor of any colony, territory, or island belonging to H. M., within the limits of the said charter, and they and he are hereby required, on application made by the owner or commander of any ship or vessel, and after having ascertained by due inquiry that a sufficient number of British seamen cannot be procured from the crew of any ship or vessel sailing from India, within ten days from such application, to certify the same, and license such ship or vessel to sail and carry on her voyage with a less proportion of British seamen than required by law; and every such ship, having on board such licence, and the proportion of British seamen therein specified, shall be deemed to be navigated according to law, notwithstanding such deficiency of British seamen, 4 G. 4. c. 80. s. 22.

151. Provided always, that nothing in this act, or in any other act of parliament contained, shall extend or be construed to extend to require any number of British seamen to be on board as part of the crew or mariners of any ship or vessel employed in trade only between ports and places within the limits of the charter of the said Co., including the Cape of Good Hope, 4 G. 4. c. 80. s. 23.

152. From and after the 1st June 1824, all the provisions contained in 54 G. 3. c. 154. s. 23. [Stat. Dig. this title, pl. 659—661.], intituled, *An Act to continue until the first day of Jan. one thousand eight hundred and sixteen, and to amend several acts for altering importations from and exportations to the places within the limits of the charter of the E. I. C., in ships not of British-built, and for the better maintenance and care of Lascars and other Asiatic seamen arriving in this kingdom*, relative to Asiatic sailors, *Lascars*, or natives of any territories, countries, or places within the limits of the charter of the said united Co., shall be and are hereby repealed; save and except as to the recovery of any sums of money which have become or may become due on any bond which may have been or ought to have been entered into before the said 1st June 1824, or of any sums of money which have otherwise become or may become due by virtue of the said act, before the said 1st June 1824, all which sums of money shall be recovered in the same manner as if this act had not been passed, 4 G. 4. c. 80. s. 24.

153. It shall be lawful to and for the governor-general of Fort William in Bengal, in council, and he is hereby required, as soon as may be, to make, ordain, and publish, and from time to time, as occasion may require, to repeal and alter, and newly to make, ordain, and publish, such rules and regulations, to be observed by masters, officers, and owners of ships and vessels trading under this act, the crews of which ships or vessels shall be wholly or in part composed of Asiatic sailors, *Lascars*, or natives of any of the territories, countries, islands, or places within the limits of the charter of the said united Co., for the due supply of provisions, clothing, and other necessary accommodation of such Asiatic sailors, *Lascars*, and natives aforesaid, whilst they shall be on board such ships or vessels, and whilst absent from the countries or places to which they shall respectively belong, and until they shall be carried back to the places to which they may belong, or from whence they may have been brought, and for the conveyance back of such Asiatic sailors, *Lascars*, or natives as aforesaid, within a reasonable time to be fixed by such rules or regulations, 4 G. 4. c. 80. s. 25.

154. All such rules and regulations, until they shall be repealed or altered, shall be observed and performed according to the true intent and meaning thereof, in like manner as if they had been herein inserted and had formed part of this act; and a copy of all and every such rules and regulations, signed and authenticated as such by the secretary for the time being of the government of Bengal, or by the secretary for the time being of the said united Co., shall be deemed, and received, and taken, in and by all courts, justices, and other persons, as full, sufficient and conclusive evidence of such rules and regulations, 4 G. 4. c. 80. s. 26.

155. The master or other person having the command of every ship or vessel trading under this act, which from and after the passing of this act [18th July 1823.], shall arrive at any port in the U. K. of G. B. or Ire., and which shall have on board, or which during any part of her voyage shall have had on board, either as part of her crew or in any other character, or for any other reason, any Asiatic sailor, *Lascar*, or native of any of the territories, countries, islands, or places within the limits of the charter of the said united Co., before such ship or vessel shall be admitted to entry, shall make out and exhibit to the principal officers of the customs, or other person thereunto lawfully authorized, a true and perfect list and description of every such Asiatic sailor, *Lascar*, or native aforesaid, which shall then be, or who during any part of her voyage shall have been on board such ship or vessel, with a true account and statement what shall have become of every such Asiatic sailor, *Lascar*, and native aforesaid, who may have been and shall not then be on board, 4 G. 4. c. 80. s. 27.

156. For every breach or non-observance of any rule or regulation to be made in pursuance of this act, in relation to Asiatic sailors, *Lascars*, or natives aforesaid, which shall have happened or taken place, and for every omission to make out and exhibit such list, description, account, or statement of and respecting all such Asiatic sailors, *Lascars*, or natives aforesaid, as herein is required, the master or commander and all and every the owners and owner of the ship or vessel on board which any such Asiatic sailor, *Lascar*, or native aforesaid, shall be or shall have been, shall forfeit the sum of ten pounds for every Asiatic sailor, *Lascar*, or native aforesaid, in respect of whom such breach, non-observance, omission or defect shall have happened or taken place, to be recovered against the master, commander, and owners jointly or severally, by bill, plaint, information, or action, in any of H. M.'s courts of record in the U. K. of G. B. and Ire., or in the E. I. or elsewhere, to be commenced in the county or presidency or place where any such offender may happen to be, or by conviction in a summary way before two justices of the peace in the U. K., or in the E. I., of the county or presidency where any such offender may happen to be; and of which sums so to be forfeited, one third part thereof shall go, belong, and be paid to the person who shall inform or sue for the same, and the other two third parts thereof shall be paid to such person as the court or justices before

whom the same shall be recovered shall award, to be applied in payment or reimbursement of any expence which may have been incurred by or for the use of the *Asiatic* sailor, *Lascar*, or native aforesaid, or the respective *Asiatic* sailors, *Lascars*, or natives aforesaid, in respect of whom such forfeiture or forfeitures shall have been recovered, or in such other manner, for his or their maintenance, return home, or benefit, as the court or justices before whom the same shall be recovered shall direct, 4 G. 4. c. 80. s. 28.

157. And for the more easy and speedy conviction of the offenders under this act, be it further enacted, That the justices of the peace before whom any person shall be convicted of any offence under this act, shall cause the conviction to be drawn up in the following form of words, or in any other form of words to the like effect, as the case may happen; viz.

'Be it remembered, that on the ——— day of ——— in the year of our Lord ——— A. B. [the offender or offenders] is [or are] convicted before us, two of H. M.'s justices of the peace for [the county or presidency, as the case may be] by virtue of an act made in the fourth year of the reign of H. M. King George the Fourth, intituled, [setting forth the title of this act] of having [here state the offence or offences] which offence [or offences, as the case may be] has, by confession of the offender [or offenders, or the oath of one or more credible witness or witnesses, as the case may be]; for which said offence [or offences, as the case may be] we do adjudge that the said offender [or offenders] hath [or have] forfeited and do pay the sum of [the amount forfeited]; one third part whereof we do order and direct to be paid to [the informer], and the other two thirds thereof to C. D. and E. F. [such persons as the said justices shall direct] to be applied [in such manner as the case may require] pursuant to the provisions of the said act. Given under our hands and seals the day and year first above written.'

4 G. 4. c. 80. s. 29.

158. All sums of money of which any person shall be so convicted as aforesaid, shall be levied by distress and sale of the goods and chattels of the offender; and for want of sufficient distress every such offender may be committed to prison in the common gaol or house of correction, for the space of three calendar months, 4 G. 4. c. 80. s. 30.

159. And whereas it may happen that *Asiatic* sailors, *Lascars*, and natives aforesaid, may refuse to accept the maintenance to be provided for them under the rules and regulations before referred to, or to return home in the ships or vessels which may be engaged for that purpose; be it therefore enacted, That if any such *Asiatic* sailor, *Lascar*, or native aforesaid, shall at any time be convicted of an act of vagrancy under any of the laws in force in the U. K. respecting vagrants, it shall be lawful to and for the justice or justices or magistrates before whom such conviction shall take place, to order that he shall be shipped on board any ship or vessel bound to the place, or as near as may be to the place to which he shall belong, or from which he shall have been brought, and the commander of which shall be willing to take charge of him in order to his being returned thereto, at the expence of the person liable under any rule or regulation to be made as before mentioned, or of any other person being otherwise willing to defray the same; and it shall be lawful for the commander of any such ship or vessel having taken charge of such vagrant, and he is hereby required, to keep and detain him on board his ship for the voyage for which he shall be shipped, 4 G. 4. c. 80. s. 31.

160. Provided, that no conviction, order, or proceeding to be made or had by or before any justices of the peace, or other magistrate, by virtue of this act, shall be quashed or vacated for want of form, and that the order of such justices or other magistrates shall be final, and that no proceedings of any such justices or other magistrates in pursuance of this act shall be removable by certiorari or otherwise, 4 G. 4. c. 80. s. 32.

161. If any action or suit shall be commenced against any person for any thing done in pursuance of this act, such action or suit shall be commenced or prosecuted within three months after the fact committed, and not afterwards; and the same shall be brought in the county or place where the cause of action shall have arisen, and not elsewhere; and the defendant shall plead the general issue, and at the trial thereof give this act and the special matter in evidence; and if the matter or thing complained of shall appear to have been done under this act, or if any such action or suit shall be brought after the time limited for bringing the same, or be brought and laid in any other county or place than as afore-mentioned, then the jury shall find for the defendant; and if the plaintiff shall become nonsuit, or discontinue his action after the defendant shall have appeared, or have a verdict against him, or if, upon demurrer, judgment shall be given against the plaintiff, the defendant shall and may recover treble costs, with the usual remedy to recover the same as in cases of single costs, 4 G. 4. c. 80. s. 33.

162. If any *Asiatic* sailor, *Lascar*, or native of any of the territories, countries, islands, or places within the limits of the charter of the said

united Co., having been brought to the U. K. on board any ship or vessel not being a ship of war in the service of H. M., shall from and after the passing of this act [19th July 1823], be found within the U. K. in distress for want of food, clothing, or other necessities, it shall be lawful for the said united Co. to supply necessary and reasonable relief to such persons, and to maintain them until they shall be sent on board some ship bound for some place within the limits aforesaid; and also to pay, defray, and advance the money necessary to procure such persons proper and sufficient passage to their homes or places from which they were brought; and all such sums as the said Co. shall pay for or on account of such relief or maintenance, or passage home, shall constitute and become a joint and several debt due to the said Co. from the commander, owner or owners of such ship, on board whereof such person shall have been brought into the said U. K., and shall be recoverable as so much money paid to and for the use of such owner or owners in any of the courts of the said U. K., or in the *E. I.*, if the owner shall reside there, in which actions or suits for the recovery of debts may be sued or prosecuted; and in all such actions and suits, where the said Co. shall recover, they shall be entitled to receive full costs of suit, 4 G. 4. c. 80. s. 34.

EMIGRATION. (See PASSENGER.)

(STATUTES repealed.)

1. For regulating the vessels carrying passengers from the U. K. to H. M.'s plantations and settlements abroad, or to foreign parts, with respect to the number of such passengers, 43 G. 3. c. 56. [Stat. Dig. this tit., pl. 2—6. 8—14. 17—26. REP. 4 G. 4. c. 84. s. 1.]
2. To amend 43 G. 3. c. 56. for regulating the vessels carrying passengers to H. M.'s plantations and settlements abroad, 53 G. 3. c. 56. [Stat. Dig. this tit., pl. 15. 27, 28. REP. 4 G. 4. c. 84. s. 1.]
3. For regulating the carrying of passengers to and from the island of Newfoundland and coast of Labrador, 56 G. 3. c. 83. [Stat. Dig. this tit., pl. 31—42. REP. 4 G. 4. c. 84. s. 1.]
4. To regulate the conveyance of passengers from the U. K. to the United States of America in British vessels, 56 G. 3. c. 114. [Stat. Dig. this tit., pl. 16. REP. 4 G. 4. c. 84. s. 1.]
5. To regulate the vessels carrying passengers from the U. K. to certain of H. M.'s colonies in North America, 57 G. 3. c. 10. [Stat. Dig. this tit., pl. 43—52. REP. 4 G. 4. c. 84. s. 1.]

EMBEZZLEMENT (BY AGENTS). See FACTOR AND MERCHANT.

ERROR.

1. For preventing frivolous writs of error, 6 G. 4. c. 96.
2. For preventing the delays occasioned to creditors by frivolous writs of error brought on judgments given in H. M.'s courts of record at Westminster, and in the counties palatine, and in the courts of great session in Wa., be it enacted, That upon any judgment hereafter [5th July 1825], to be given in any of the said courts in any personal action, execution shall not be stayed or delayed by writ of error or supersedeas thereupon, without the special order of the court, or some judge thereof, unless a recognizance with condition according to 3 Ja. 1. c. 8. [Stat. Dig. tit. EXECUTION, pl. 7. et seq.] intituled, *An Act to avoid unnecessary delays of execution*, be first acknowledged in the same court, 6 G. 4. c. 96. s. 1.
3. And whereas the lawful fees and emoluments of persons holding the office of cursitors, and of other persons, officers of the courts of law and equity in Eng. and Wa., may be reduced by the operation and effect of this act; and it is just and reasonable that full compensation should be made to such cursitors and officers who now hold their offices for life; be it enacted, That the lord chief justice of the K. B., the lord chief justice of the C. P., and the lord chief baron of the exchequer, shall be and the same are hereby appointed commissioners for the purposes of this act; and the said commissioners shall, within nine months after the passing of this act, by examination on oath as well as otherwise, which oath they and each of them are and is hereby authorized to administer, inquire which of the lawful fees and emoluments of the several persons aforesaid are liable to be reduced by the operation and effect of this act, and ascertain the annual amount, to be computed

on an average of the last ten years, and shall in like manner yearly and every year inquire and ascertain whether there has been any and what diminution or increase of such lawful fees and emoluments for the year ending the last day of *Trinity* term immediately preceding such examination, and shall certify the amount of such diminution, if any, in writing under their hands to the treasury, and the amount of such diminution shall forthwith become a charge on the consolidated fund, and shall be issued as if the amount of such diminution had been specially mentioned in this act, and shall be payable and paid accordingly to the respective persons aforesaid, the diminution of whose lawful fees and emoluments shall have been so certified, without any deduction whatsoever, 6 G. 4. c. 96. s. 2.

4. Provided, that if in any year the amount of such lawful fees and emoluments of any such person as aforesaid claiming compensation under this act shall exceed the average amount of such fees and emoluments ascertained as herein-before directed, then and in that case the commissioners appointed by this act shall certify the amount of such excess, and such person as aforesaid shall within fifteen days thereafter pay the amount of such excess into H. M.'s exchequer, 6 G. 4. c. 96. s. 3.

5. And whereas by the operation of this act there may be no longer any occasion for the services of the clerks in the office of clerk of the errors; be it further enacted, That the said clerks shall be entitled to all the benefit of 3 G. 4. c. 113., [post, SERVICES PUBLIC.] intituled, *An Act to amend an act passed in the fiftieth year of His late Majesty, for directing that accounts of increase and diminution of public salaries, pensions and allowances, shall be annually laid before parliament, and for regulating and controlling the granting and paying such salaries, pensions, and allowances*, in as full a manner as if the office of clerk of the errors had been inserted in the schedule annexed to the said act, 6 G. 4. c. 96. s. 4.

ESCHEAT.

1. An Act to extend the provisions of 59 G. 3. c. 94. concerning the disposition of certain real and personal property of H. M., his heirs and successors [viz. Escheats. See *Stat. Dig. tit. ESCHEAT, &c.*, pl. 29—32.], 6 G. 4. c. 17.

2. Whereas by 59 G. 3. c. 94., after reciting 39 & 40 G. 3. c. 88. [s. 12. *Stat. Dig. tit. id. pl. 29, 30.*] and 47 G. 3. sess. 2. c. 24. [s. 1. *Stat. Dig. tit. id. pl. 30.*] whereby it was enacted that in all cases in which H. M., his heirs or successors, should in right of his crown, or of his duchy of *Lancaster*, become entitled to any freehold or copyhold manors, messuages, lands, tenements, or hereditaments, either by escheat for want of heirs, or by reason of any forfeiture, or by reason that the same had been or should be purchased by or for the use of or in trust for any alien or aliens, it should be lawful for H. M., his heirs and successors, by warrant under his or their sign manual, or under the seal of the duchy or county palatine of *Lancaster*, according to the nature of the title to such manors, messuages, lands, tenements, or hereditaments respectively, to direct the execution of any trusts or purposes to which the same might have been directed to be applied, and to make grants of such manors, messuages, lands, tenements, or hereditaments, or any parts thereof, or of any rents or profits then due and in arrear to H. M. in respect thereof respectively, to such person or persons, and in such manner and for such purposes, as is therein authorized and directed: and whereas it is expedient that the provisions of 59 G. 3. c. 94. [*Stat. Dig. this title, pl. 29—32.*] should be enlarged and extended, for the purpose of enabling H. M. to make grants in certain other cases not provided for by that act; in all cases in which H. M., his heirs or successors, hath or shall in right of his crown, or of his duchy of *Lancaster*, become entitled to any leasehold manors, messuages, lands, tenements, or hereditaments, either by reason of any forfeiture, or by reason that the same have been or shall be purchased by or for the use of or in trust for any alien or aliens, it shall be lawful for H. M., his heirs and successors, by warrant under his or their sign manual, or under the seal of the duchy or county palatine of *Lancaster*, according to the nature of the title to such manors, &c. respectively, to direct the execution of any trusts or purposes to which the same may have been directed to be applied, and to make grants of such manors, &c., or any parts thereof, for all or any part of the term or terms of years, or other estate or interest for which the same may be holden, or of any rents or profits then due and in arrear to H. M. in respect thereof respectively, to any trustee or trustees, or otherwise, for the execution of any such trusts or purposes, or to any person or persons for the purpose of restoring the same to any of the family of the person or persons whose estates the same had been, or of carrying into effect any intended grant, demise, assignment, or bequest of any such person or persons in relation thereto, or of rewarding any person or persons, or his, her, or their family, making discovery

of any such forfeiture, or of H. M.'s right and title thereto, as to H. M., his heirs or successors, shall seem fit; or to make any grant or grants of such manors, &c., or any part or parts thereof, for all or any part of the term or terms of years, or other estate or interest for which the same may be holden, to any person or persons, or his, her, or their family, making such discovery as aforesaid, or being of the family, or considered or adopted as part of the family, of any alien or aliens, or to any person or persons whose estate or property the same have been, or being of the family, or considered or adopted as part of the family of any such last-mentioned person or persons, and his, her, or their heirs, executors, administrators, and assigns respectively, according to the nature and quality of the said leasehold estates, unconditionally, or in consideration of money to be paid either at or before the execution of such grant or grants or at any time or times subsequent thereto, and to such person or persons as H. M., his heirs or successors, shall be pleased to direct; and such money, if not paid at the execution of such grant or grants, to be a charge upon the manors, &c., for all or such part of the term or terms of years, or other estate or interest for which the same may be holden which shall be so granted, and to be secured by way of mortgage or trust, or in any other manner, as H. M., his heirs or successors, shall think proper or be advised, and such money to be applied for any of the purposes of this act; or to make any grant or grants of such manors, &c., or any of them, for all or any part of the term or terms of years, or other estate or interest for which the same may be holden, unto any trustee or trustees, his or their heirs, &c. respectively, according to the nature and quality thereof, in trust to be sold, in such manner as H. M., his heirs or successors, shall be pleased to direct; and it shall be lawful for H. M., his heirs or successors, to direct the rents and profits of any such manors, &c., for all or any part of the term or terms of years, or other estate or interest for which the same may be holden, and the money to arise by any sale or sales, or to be produced by any of the means aforesaid, to be applied in payment of any costs, charges, and expences incident to any commission or commissions for finding the title of H. M., and to the making of any such grant, and for carrying the same or any trusts or provisions thereof into execution, or in rewarding any person or persons, or the family of any person or persons, making a discovery of any such forfeiture, or purchase by an alien, or of H. M.'s right and title thereto, or in discharging the whole or any part of any debt or debts due from any alien, or any person or persons whose estate or property any such leasehold manors, &c. have been, or for the use and benefit, in whole or in part, of any such alien, or of his or her family, or any part thereof, or of any person or persons adopted or considered by such alien as part of his or her family, or of any person or persons whose estate or property any such leasehold manors, &c. have been, or his, her, or their family, or any part thereof, or of any person or persons adopted or considered by such person or persons as part of his, her, or their family, or for all or any of the purposes aforesaid, as to H. M., his heirs or successors respectively, shall seem fit; and all grants heretofore made by H. M., which would under this act be valid and effectual, are hereby declared to be as valid, to all intents and purposes, as if made under the powers, &c. of this act, and as if such powers, &c. had been in full force and effect at the time of making such grants; any thing in 59 G. 3. c. 94., or any other act heretofore made, to the contrary notwithstanding, 6 G. 4. c. 17. s. 1.

3. The purchasers of any such leasehold manors, lands, &c., sold under the authority of this act, or any person or persons paying any money under the authority of the same, or in pursuance of any grants to be made by virtue thereof, shall not be bound to see to the application, or be answerable for the misapplication or non-application of the monies paid by them respectively, 6 G. 4. c. 17. s. 2.

4. Provided always, that in every case where any surplus shall remain of any monies which may arise from any such sale or sales, or which shall be paid under the authority of this act, by any person or persons, after satisfying all such purposes as shall have been ordered and directed by H. M., his heirs or successors, under the provisions of this act, shall be paid to the commissioners of H. M.'s land revenue for the time being, to be applied by them in the same way and manner as the monies arising from the sale of any manors, lands, &c., of or belonging to H. M., his heirs or successors, is by the several acts now in force for the management and improvement of the land revenue of the crown, or any of them, directed to be applied and disposed of, 6 G. 4. c. 17. s. 3.

EXCISE.

1. To regulate the manufacture and sale of scorched or roasted corn, peas, beans, or parsnips, and of cocoa-paste, broma, and other mixtures of cocoa, 3 G. 4. c. 53.

2. Whereas by 43 G. 3. c. 129. s. 5. made to amend so much of an act made in the same session of parliament, for granting additional duties of

excise as relates to the exportation of tea to *Ire.*, for regulating the granting of permits for the removal of coffee, tea, and cocoa-nuts, out of warehouse, and for more effectually securing the duties on coffee, it was enacted, that from and after the 1st *Sept.* 1803, if any burnt, scorched, or roasted peas, beans, or other grain or vegetable substance or substances, prepared or manufactured for the purpose of being an imitation of or in any respect to resemble coffee or cocoa, or to serve as a substitute for coffee or cocoa, or alleged or pretended by the possessor or vendor thereof so to be, shall be made or kept for sale, or shall be offered or exposed to sale, or shall be found in the custody or possession of any dealer or dealers in or seller or sellers of coffee or cocoa, or if any burnt, scorched, or roasted peas, beans, or other grain, or vegetable substance or substances, not being coffee or cocoa, shall be called by the preparer, manufacturer, possessor, or vender thereof, by the name of *English* or *British* coffee, or any other name of coffee, or by the name of *American* cocoa, or *English* or *British* cocoa, or any other name of cocoa, the same respectively shall be forfeited, together with the packages containing the same, and shall and may be seized by any officer or officers of excise; and the person or persons preparing, manufacturing, or selling the same, or having the same in his or their custody or possession, or the dealer or dealers in or seller or sellers of coffee or cocoa, in whose custody the same shall be found, shall forfeit and lose the sum of one hundred pounds: and whereas it is expedient, notwithstanding the provisions herein-before recited, to allow the manufacture and sale of scorched or roasted corn, peas, beans, or parsnips, as herein-after mentioned, by persons not being dealers in or sellers of coffee or cocoa, be it enacted, That from and after the passing of this act [*viz.* 5th *July* 1822.] it shall be lawful for any person, not being a dealer in or seller of coffee or cocoa, to manufacture, deal in, and sell scorched or roasted corn, peas, beans, or parsnips, whole, and not ground, crushed, or powdered, under the licence, and subject and according to the rules, regulations, and restrictions herein-after mentioned and contained, 3 *G. 4. c. 53. s. 1.*

3. All persons who shall manufacture for sale, deal in, or sell any such scorched or roasted corn, peas, beans, or parsnips, as aforesaid, shall before they shall manufacture, deal in, or sell the same, take out a licence authorizing such persons to manufacture, deal in, or sell such scorched or roasted corn, peas, beans, or parsnips as aforesaid, which licences shall be granted in manner herein-after mentioned; that is to say, if any such licence shall be granted to authorize the person to whom the same shall be granted to manufacture, deal in, or sell any such scorched or roasted corn, peas, beans, or parsnips, within the limits of the chief office of excise in *London*, the same shall be granted under the hands and seals of two or more of the commissioners of excise in *Eng.* for the time being, or of such persons as they shall direct for that purpose; but if any such licence shall be granted to authorize the person to whom the same shall be granted to manufacture, deal in, or sell any such scorched or roasted corn, peas, beans, or parsnips in any part of *Eng.*, out of the limits of the said chief office, the same shall be granted under the hands and seals of the collectors and supervisors of excise, within their respective collections and districts; and in case any such licence shall be granted to authorize the person to whom the same shall be granted, to manufacture, deal in, or sell any such scorched or roasted corn, peas, beans or parsnips, within the limits of the city of *Edinburgh*, the same shall be granted under the hands and seals of two or more of the commissioners of excise in *Scot.*; or if any such licence shall be granted to authorize the person to whom the same shall be granted to manufacture, deal in, or sell any such scorched or roasted corn, peas, beans, or parsnips in any part of *Scot.* out of the limits of the city of *Edinburgh*, the same shall be granted under the respective hands and seals of the collectors and supervisors of excise in *Scot.*, within their respective collections and districts; and such commissioners, and the persons to be directed by the said commissioners of excise in *Eng.*, and also all such collectors and supervisors, are hereby respectively authorized and required to grant such licences to the persons who shall apply for the same, on the person applying first paying two shillings and sixpence for each such licence, 3 *G. 4. c. 53. s. 2.*

4. The sums by this act directed to be paid for such licences shall be paid for such respective licences to such persons as are herein-after mentioned; that is to say, such thereof as shall be paid for licences taken out within the limits of the chief office of excise in *London*, shall be paid at the chief office of excise in *London*: and such thereof as shall be paid for licences taken out within the limits of the city of *Edinburgh*, shall be paid at the chief office of excise in *Edinburgh*; and such thereof as shall be paid for licences taken out in any part of *G. B.* not within the said limits, shall be paid to the respective collectors of excise in whose collections such respective licences shall be granted, 3 *G. 4. c. 53. s. 3.*

5. No person shall manufacture, deal in, or sell any such scorched or roasted corn, peas, beans, or parsnips, after the expiration of his licence, unless such person shall take out a fresh licence for the like purpose in the manner before directed, ten days at least before the expiration of

such former licence, and so in like manner renew every such licence from year to year; and if any person shall begin to manufacture for sale, deal in, or sell any such scorched or roasted corn, peas, beans, or parsnips, without first taking out a licence authorizing him so to do, and renewing the same as herein-before directed, he shall forfeit and lose the sum of fifty pounds; provided, persons trading in partnership, and in one house or shop only, shall not be obliged to take out more than one licence in any one year, for manufacturing, dealing in, or selling any such scorched or roasted corn, peas, beans, or parsnips, and no one licence granted under this act shall authorize any person to manufacture, deal in, or sell any such scorched or roasted corn, peas, beans, or parsnips, in any other house, workhouse, warehouse, shed, room, or other place than the house, workhouse, warehouse, shed, room, or other place, whereof entry in writing shall be made at the office of excise, in the name of such person, for manufacturing, dealing in, or selling, any such scorched or roasted corn, peas, beans, or parsnips, at the time of granting such licence, and in respect whereof such licence shall be granted, 3 *G. 4. c. 53. s. 4.*

6. All monies arising by such licences, the charges of collection excepted, shall from time to time be paid into the receipt of the exchequer at *Westminster*; and carried to the consolidated fund of the U. K., 3 *G. 4. c. 53. s. 5.*

7. Before any such person shall begin to manufacture for sale, or deal in, or sell any such scorched or roasted corn, peas, beans, or parsnips, as aforesaid, he shall make a true entry in writing, according to the laws in force in respect to excise entries, of places, of every house, room, and place, and of every utensil by him made use of, or intended to be made use of, in scorching or roasting or keeping of scorched or roasted corn, peas, beans, or parsnips for sale, at the office of excise within the limits whereof such house, room, or place shall be situate, and shall be subject to the survey of the officers of excise, in like manner as coffee dealers are now by law subject; and every such person shall, as soon as any such corn, peas, beans, or parsnips have been scorched or roasted, put up the same whole, and not ground, crushed, or powdered, and unmixed with any other article or ingredient whatsoever, in packages, and stamp or mark the cover of every such package with the words "Roasted Corn, Peas, Beans, or Parsnips," as the case may be, and with his name and place of residence; and shall not have or keep, or sell or offer to sell or deliver, any scorched or roasted corn, peas, beans, or parsnips under any other name or description whatever than scorched or roasted corn, peas, beans, or parsnips, as the case may be, or in any other state or condition than whole and not ground, crushed, or powdered, or mixed with any other article or ingredient, or otherwise than so made up into such packages so marked, on pain of forfeiting for each offence fifty pounds, together with all the corn, peas, beans, or parsnips, and other articles or ingredients mixed or of the like kind as are mixed therewith, and also the utensils for the scorching or roasting corn, peas, beans, or parsnips, which shall at any time be found in any house, room, or place so made use of or intended to be made use of as aforesaid, and whereof no such entry shall be made as aforesaid, or which shall be in possession of any such person not licensed, or had or kept by him, or sold or delivered, otherwise than as aforesaid; and the same shall be seized by any officer of excise; provided, that nothing herein contained shall extend to repeal or alter the act or provisions herein-before recited, in any other respect than is expressly provided by this act, 3 *G. 4. c. 53. s. 6.*

8. From and after 10th *Oct.* 1822, it shall be lawful for any person duly licenced to deal in cocoa, who shall first make entry of his premises, for the purpose herein-after mentioned, at the nearest office of excise, and who shall not be a scorcher or roaster of corn, peas, beans, or parsnips, or a dealer in or a seller of scorched and roasted corn, peas, beans, or parsnips, or have in his possession any such corn, peas, beans, or parsnips, to make and manufacture in such entered premises, and with the knowledge of the proper officer, cocoa-paste, broma, and other mixtures and preparations of cocoa with sugar and arrow-root-flour, or other farinaceous powder, such arrow-root-flour, or other farinaceous powder not being baked, scorched, roasted, or otherwise disguised or altered from its natural state, except by being mixed with cocoa as aforesaid, and to sell and offer and expose to sale such cocoa-paste, broma, or other mixture or preparation as aforesaid; provided, that every such person shall inclose all such cocoa-paste, broma, and other such mixtures and preparations of cocoa as soon as the same is made, and before the same is sold, offered or exposed for sale or delivered, in paper sealed and stamped, or in some pot or other vessel to which a stamp shall be affixed in such manner as the commissioners of excise shall direct, and which stamp the commissioners shall furnish and cause to be delivered to every such person, upon his request; and upon such person paying to such commissioners for such stamps so to be used sixpence for every stamp to be attached to a pound weight, and three-pence for every stamp to be attached to half a pound weight, and three half-pence for every stamp

to be attached to every quarter of a pound weight of all such cocoa-paste, broma, or other mixtures as herein described; and if any person shall make or manufacture any cocoa-paste, broma, or other mixture or preparation of cocoa as aforesaid, without first making such entry as aforesaid, or shall mix with any cocoa any baked, scorched, or roasted material whatsoever, or any ingredient whatsoever, except as aforesaid, or shall keep, offer for sale, sell, or deliver any such preparation of cocoa, otherwise than in the manner and inclosed in the paper or pot as aforesaid, containing not less than one quarter of a pound, or more than one pound, stamped as aforesaid, or shall use any such stamp a second time, or imitate or use any stamp for the purpose aforesaid which shall not have been issued by or by the order of the commissioners of excise, or shall use any art or contrivance by which the officer surveying such premises shall be prevented or deceived in taking a true account of all such compound cocoa, broma, or other mixture of cocoa, with sugar and arrow-root flour, or other unbaked, unscorched, unroasted, and undisguised farinaceous powder as aforesaid, or shall obstruct or hinder such officer in taking such account, every such person shall for every such offence forfeit one hundred pounds, 3 G. 4. c. 53. s. 7.

9. All fines, penalties, and forfeitures imposed by this act, shall be sued

for, recovered, levied, or mitigated, by such means as any fine, &c. may be sued for, &c. by any law of excise, or by action of debt, bill, plaint, or information, in any court of record at Westminster, or in the court of exchequer in Scot.; and one moiety thereof shall be to H. M., and the other moiety to him who shall inform, discover, or sue for the same, 3 G. 4. c. 53. s. 8.

10. All and every the powers, directions, rules, penalties, forfeitures, clauses, matters, and things, which in and by 12 C. c. 24. or by any other law now in force relating to H. M.'s revenue of excise, are provided or established for managing, raising, levying, collecting, mitigating, or recovering, adjudging, or ascertaining the duties thereby imposed, or any of them, shall be practised, used, and put in execution in and for the managing, raising, levying, collecting, mitigating, recovering, and paying the licence duty of excise by this act imposed, and for preventing, detecting, and punishing frauds relating thereto, and all and every breach and breaches of the regulations hereby imposed, as fully and effectually, to all intents and purposes, as if all and every the said powers, rules, directions, penalties, forfeitures, clauses, matters, and things were particularly repeated and re-enacted in this act, 3 G. 4. c. 53. s. 9.

FACTOR AND MERCHANT.

1. For the better protection of the property of merchants and others who may hereafter enter into contracts or agreements in relation to goods, wares, or merchandizes, intrusted to factors or agent, 4 G. 4. c. 83. [ALT. and AMD. 6 G. 4. c. 94.]

2. [Whereas it has been found that the law as it now stands relating to goods shipped in the names of persons who are not the actual proprietors thereof, and to the deposit or pledge of goods, affords great facility to fraud, produces frequent litigation, and proves in its effects highly injurious to the interests of commerce in general.—*Preamble of 4 G. 4. c. 83. s. 1.*] And [whereas 4 G. 4. c. 83. was passed, intituled, *An Act for the better protection of the property of merchants and others, who may hereafter enter into contracts or agreement in relation to goods, wares, or merchandize intrusted to factors or agents:* and whereas it is expedient to alter and amend the said act, and to make further provisions in relation to such contracts or agreements, as herein-after provided.—*Preamble of 6 G. 4. c. 94. s. 1.*] be it therefore enacted,

3. That from and after the passing of this act [18th July 1823, 4 G. 4. c. 83. s. 1.] [5th July 1825, 6 G. 4. c. 94.], any person or persons intrusted for the purpose [of consignment or — 6 G. 4. c. 94. s. 1.] of sale with any goods, wares, or merchandize, [and by whom any such goods, wares, or merchandize, shall be shipped in his or their own name or names, 4 G. 4. c. 83. s. 1.] [and who shall have shipped such goods, wares, or merchandize in his, her, or their own name or names, 6 G. 4. c. 94. s. 1.] and any person or persons in whose name or names any goods, wares, or merchandize shall be shipped by any other person or persons, shall be deemed and taken to be the true owner or owners thereof, so far as to entitle the consignee or consignees of such goods, wares, and merchandize to a lien thereon, in respect of any money or negotiable security or securities advanced or given by such consignee or consignees to or for the use of the person or persons in whose name or names such goods, wares, or merchandize shall be shipped, or in respect of any money or negotiable security or securities received by him, her, or them, to the use of such consignee or consignees, in the like manner to all intents and purposes as if such person or persons was or were the true owner or owners of such goods, wares, and merchandize; provided, such consignee or consignees shall not have notice by the bill of lading for the delivery of such goods, wares, or merchandize, or otherwise, at or before the time of any advance of such money or negotiable security, or of such receipt of money or negotiable security, in respect of which such lien is claimed, that such person or persons so shipping in his, her, or their own name or names, or in whose name or names any goods, wares, or merchandize shall be shipped by any person or persons, is or are not the actual and *bonâ fide* owner or owners, proprietor or proprietors of such goods, wares, and merchandize so shipped as aforesaid, any law, usage, or custom to the contrary thereof in anywise notwithstanding: provided also, that the person or persons in whose name or names any such goods, wares, or merchandize are so shipped as aforesaid, shall be taken, for the purposes of this act, to have been intrusted therewith [for the purpose of consignment or of sale, 6 G. 4. c. 94. s. 1.] unless the contrary thereof shall [be made to appear by bill of discovery or otherwise, or be made to—6 G. 4. c. 94. s. 1.] appear or

be shown in evidence by any person disputing such fact, 4 G. 4. c. 83. s. 1.—6 G. 4. c. 94. s. 1.

4. From and after the 1st Oct. 1826, any person or persons intrusted with and in possession of any bill of lading, *India* warrant, dock warrant, warehouse-keeper's certificate, wharfinger's certificate, warrant or order for delivery of goods, shall be deemed and taken to be the true owner or owners of the goods, wares, or merchandize described and mentioned in the said several documents herein-before stated respectively, or either of them, so far as to give validity to any contract or agreement thereafter to be made or entered into by such person or persons so intrusted and in possession as aforesaid, with any person or persons, body or bodies politic or corporate, for the sale or disposition of the said goods, wares, and merchandize, or any part thereof, or for the deposit or pledge thereof, or any part thereof, as a security for any money or negotiable instrument or instruments advanced or given by such person or person, body or bodies politic or corporate, upon the faith of such several documents or either of them; provided, such person or persons, body or bodies politic or corporate, shall not have notice by such documents or either of them, or otherwise, that such person or persons so intrusted as aforesaid is or are not the actual and *bonâ fide* owner or owners, proprietor or proprietors of such goods, wares, or merchandize so sold or deposited or pledged as aforesaid; any law, usage, or custom to the contrary thereof in anywise notwithstanding, 6 G. 4. c. 94. s. 2.

5. Provided that in case any person or persons, body or bodies politic or corporate, shall, after the passing of this act, accept and take any such goods, wares, or merchandize in deposit or pledge from any such person or persons so in possession and intrusted as aforesaid, without notice as aforesaid, as a security for any debt or demand due and owing from such person or persons so intrusted and in possession as aforesaid, to such person or persons, body or bodies politic or corporate, before the time of such deposit or pledge, then and in that case such person or persons, body or bodies politic or corporate, so accepting or taking such goods, wares, or merchandize in deposit or pledge, shall acquire no further or other right, title, or interest in or upon or to the said goods, wares, or merchandize, or any such document as aforesaid, than was possessed, or could or might have been enforced by the said person or persons so possessed and intrusted as aforesaid, at the time of such deposit or pledge as a security as last aforesaid; but such person or persons, body or bodies politic or corporate, so accepting or taking such goods, wares, or merchandize in deposit or pledge, shall and may acquire, possess, and enforce such right, title, or interest as was possessed and might have been enforced by such person or persons so possessed and intrusted as aforesaid; any rule of law, usage, or custom to the contrary notwithstanding, 6 G. 4. c. 94. s. 5.

6 From and after the 1st Oct. 1826, it shall be lawful to and for any person or persons, body or bodies politic or corporate to contract with any agent or agents, intrusted with any goods, wares, or merchandize, or to whom the same may be consigned, for the purchase of any such goods, wares, and merchandize, and to receive the same of and pay for the same to such agent or agents; and such contract and payment shall be binding upon and good against the owner of such goods, wares, and merchandize, notwithstanding such person or body shall have notice that

the person or persons making and entering into such contract, or on whose behalf such contract is made or entered into, is an agent or agents; provided such contract and payment be made in the usual and ordinary course of business, and that such person or body, shall not, when such contract is entered into or payment made, have notice that such agent or agents is or are not authorized to sell the said goods, wares, and merchandize, or to receive the said purchase money, 6 G. 4. c. 94. s. 4. [See 4 G. 4. c. 84. s. 2. next pl.]

7. It shall be lawful for any person or body politic or corporate, to accept and take any goods, wares, or merchandizes, or the bill of lading for the delivery thereof, in deposit or pledge from any assignee thereof; but then such person or body shall acquire no further or other right, title, or interest in or upon or to the said goods, &c. or any bill of lading for the delivery thereof, than was possessed or could or might have been enforced by the said consignee at the time of such deposit or pledge as a security as aforesaid; but such person shall and may acquire, possess, and enforce such right, &c. as was possessed and might have been enforced by such assignee, at the time of such deposit or pledge as aforesaid, 4 G. 4. c. 83. s. 2.

8. From and after the passing of this act [5th July 1825.] it shall be lawful to and for any person or body corporate, to accept and take any such goods, wares, or merchandize, or any such document as aforesaid, in deposit or pledge from any such factor or agent, notwithstanding such person or body, shall have such notice as aforesaid, that the person making such deposit or pledge is or are a factor or agent; but then and in that case such person or body shall acquire no further or other right, title, or interest in or upon or to the said goods, wares, or merchandize, or any such document as aforesaid, for the delivery thereof, than was possessed or could or might have been enforced by the said factor or agent, at the time of such deposit or pledge as a security as last aforesaid; but such person or body shall and may acquire, possess, and enforce such right, title, or interest as was possessed and might have been enforced by such factor or agent, at the time of such deposit or pledge as aforesaid; any rule or law, usage or custom to the contrary notwithstanding, 6 G. 4. c. 94. s. 5.

9. Provided that nothing herein contained shall be deemed, construed, or taken to deprive or prevent the true owner or proprietor of such goods, wares, or merchandize, from demanding and recovering the same from his factor or agent before the same shall have been so sold, deposited, or pledged, or from the assignee or assignees of such factor or agent in the event of his bankruptcy; nor to prevent such owner or proprietor from demanding or recovering of and from any person or body politic or corporate, the price or sum agreed to be paid for the purchase of such goods, wares, or merchandize, subject to any right of set-off on the part of such person or body against such factor or agent, nor to prevent such owner or proprietor from demanding or recovering of and from such person or body, such goods, wares, or merchandize, so deposited or pledged, upon repayment of the money, or on restoration of the negotiable instrument or instruments so advanced or given on the security of such goods, wares, or merchandize as aforesaid, by such person or body to such factor or agent; and upon payment of such further sum of money, or on restoration of such other negotiable instrument or instruments (if any) as may have been advanced or given by such factor or agent, to such owner or proprietor, or on payment of a sum of money equal to the amount of such instrument or instruments; nor to prevent the said owner or proprietor, from recovering of and from such person or body any balance or sum of money remaining in his hands, as the produce of the sale of such goods, wares, or merchandize, after deducting thereout the amount of the money or negotiable instrument or instruments so advanced or given upon the security thereof as aforesaid: provided, that in case of the bankruptcy of any such factor or agent, the owner or proprietor of the goods, wares, and merchandize so pledged and redeemed as aforesaid, shall be held to have discharged *pro tanto* the debt due by him to the estate of such bankrupt, 6 G. 4. c. 94. s. 6. [See 4 G. 4. c. 84. s. 5. next pl.]

10. Provided, that nothing herein contained shall be deemed, construed, or taken to deprive or prevent the true owner or proprietor of such goods, &c. from demanding and recovering the same from his factor or agent before the same shall have been so deposited or pledged, or from the assignee of such factor or agent in the event of his bankruptcy; nor to prevent any such owner or proprietor from demanding or recovering of and from any person or of or from the assignees of any person in case of his bankruptcy, or of or from any body politic or corporate such goods, &c. so consigned, deposited or pledged, upon repayment of the money or on restoration of the negotiable security or securities, or on payment of a sum of money equal to the amount of such security or securities, for which money or negotiable security or securities such person or his assignee or such body politic or corporate may be entitled to any lien upon such goods, &c. nor to prevent the said owner or proprietor from recovering of or from such person or body any balance or sum remaining in his hands as the produce of the sale of such goods,

&c. after deducting thereout the amount of the money or negotiable security or securities so advanced or given upon the security thereof as aforesaid: provided, that in case of the bankruptcy of such factor or agent, the owner of the goods so pledged and redeemed as aforesaid, shall be held to have discharged *pro tanto* the debt due by him to the bankrupt's estate, 4 G. 4. c. 84. s. 3.

11. And whereas it is expedient to prevent the improper deposit or pledge of goods, wares, or merchandize, or the documents relating to such goods, wares, or merchandize, entrusted or consigned as aforesaid to factors or agents; be it therefore enacted, That if any such factor or agent at any time from and after the 1st Oct. 1826, shall deposit or pledge any goods, wares, or merchandize, intrusted or consigned as aforesaid to his or her care or management, or any of the said several documents so possessed or intrusted as aforesaid, with any person or persons, body or bodies politic or corporate, as a security for any money, or negotiable instrument or instruments borrowed or received by such factor or agent, and shall apply or dispose thereof to his or her own use, in violation of good faith, and with intent to defraud the owner or owners of any such goods, wares, or merchandize, every person so offending, in any part of the U. K. shall be deemed and taken to be guilty of a misdemeanour, and being convicted thereof according to law, shall be sentenced to transportation for any term not exceeding fourteen years, or to receive such other punishment as may by law be inflicted on persons guilty of a misdemeanour, and as the court before whom such offender may be tried and convicted shall adjudge, 6 G. 4. c. 94. s. 7.

12. Provided, that nothing herein contained shall extend or be construed to extend to subject any person to prosecution, for having deposited or pledged any goods, wares, or merchandize so intrusted or consigned to him, provided the same shall not be made a security for or subject to the payment of any greater sum of money than at the time of such deposit or pledge was justly due and owing to such person from his principal: provided nevertheless, that the acceptance of bills of exchange by such person drawn by or on account of such principal, shall not be considered as constituting any part of such debt so due and owing from such principal within the true intent and meaning of this act, so as to excuse the consequence of such a deposit or pledge, unless such bills shall be paid when the same shall respectively become due, 6 G. 4. c. 94. s. 8.

13. Provided, that the penalty by this act annexed to the commission of any offence intended to be guarded against by this act, shall not extend or be construed to extend to any partner or other person of or belonging to any partnership, society, or firm, except only such partners or persons as shall be accessory or privy to the commission of such offence; any thing herein contained to the contrary notwithstanding, 6 G. 4. c. 94. s. 9.

14. Provided, that nothing in this act contained, nor any proceeding, conviction, or judgment to be had or taken thereupon, shall hinder, prevent, lessen, or impeach any remedy at law or in equity, which any party aggrieved by any offence against this act might or would have had or have been entitled to against any such offender if this act had not been made, nor any proceeding, conviction, or judgment had been had or taken thereupon; but nevertheless, the conviction of any offender against this act shall not be received in evidence in any action at law or suit in equity against such offender: and further, that no person shall be liable to be convicted by any evidence whatever as an offender against this act, in respect of any act, matter, or thing done by him, if he shall at any time previously to his being indicted for such offence have disclosed any such matter or thing on oath under or in consequence of any compulsory process of any court of law or equity, in any action, suit, or proceeding, in or to which he shall have been a party, and which shall have been *bona fide* instituted by the party aggrieved by the act, matter, or thing which shall have been committed by such offender aforesaid, 6 G. 4. c. 94. s. 10.

FEES.

1. To enable the judges of the several courts of record at *Westminster*, to make regulations respecting the fees of the officers, clerks, and ministers of the said courts, 3 G. 4. c. 69. [See further COURTS, K. B. and C. P.]

2. Whereas it is expedient that some provisions should be made for the permanent regulation and establishment of the fees of the officers, clerks, and ministers of justice of the several courts of chancery, K. B., C. P., exchequer, and exchequer-chamber at *Westminster*, and of the clerks and other officers of the judges of the same courts, but the same cannot be effectually done without the authority of parliament; be it therefore enacted, That it shall and may be lawful for the judges of the same courts respectively for the time being, and they are hereby

required to take into their consideration, as well the reports and recommendations made by the commissioners acting in the execution of the several commissions issued under the great seal in and subsequent to the 55 G. 3., relating to the said several officers, clerks, and ministers, as also the rights and duties of such officers, clerks, and ministers, and all other matters relating thereto and connected therewith: and it shall be lawful for the lord chancellor, lord keeper, or lords commissioners for the custody of the great seal, together with the master of the rolls and the vice-chancellor of *Eng.*, or together with either of them, to establish and ordain by their discretion, tables of fees to be thereafter taken by the several officers, clerks, and ministers of the court of chancery, and by the officers of the said lord chancellor, lord keeper, or lords commissioners for the custody of the great seal, master of the rolls, and vice-chancellor respectively; and for any three or more of the judges of the said courts of K. B., C. P., exchequer, and exchequer-chamber respectively, to establish and ordain by their discretion, tables of fees to be thereafter taken by the several officers, clerks, and ministers of the same respective courts, and by the clerks and other officers of the judges thereof respectively; which tables of fees shall be entered or inrolled in the public books or records of the courts to which they respectively relate, in such manner as the persons establishing the same shall think fit, 3 G. 4. c. 69. s. 1.

3. The fees so established and ordained, and no other, shall, from and after the establishment and ordaining thereof, and the entry or enrolment of such tables as aforesaid, and after notice thereof given to the officer, clerk, or minister whom they may concern in such manner as the persons establishing the said tables shall direct, be deemed and taken to be the lawful fees of such officers, clerks, and ministers respectively, and shall be demanded, received, and taken accordingly; provided, that if it shall happen that any duty not provided for in such tables shall, after the establishing and ordaining thereof, be required to be performed by any of the said officers, clerks, or ministers, by, or in pursuance of any act of parliament or other lawful authority, then and in such case, as often as the case shall happen, it shall be lawful for the court whereto, or to some judge whereof such officer, clerk, or minister shall belong (if the court shall so think fit), by rule or order of the same court to be entered or enrolled as aforesaid, to appoint a reasonable fee or fees to be taken for the performance of such duty; which fee or fees so appointed, and no other, shall be from thenceforth deemed to be the lawful fee or fees for the performance of such duty, and shall be demanded, received, and taken accordingly, 3 G. 4. c. 69. s. 2.

4. It shall be lawful for the persons by whom such tables shall be established as aforesaid, in and by the same tables or otherwise, and for their successors from time to time to make such regulations respecting the duties of such officers, clerks, and ministers, as to them shall seem expedient: which regulations, shall from the time of the establishment, ordaining, and enrolling or entering thereof, be in full force with respect to such officers, clerks, and ministers respectively, 3 G. 4. c. 69. s. 3.

5. Provided, that nothing in this act contained shall extend to any charges or fees made or received by any solicitor or attorney of the same courts, or any of them, in respect of business done by such solicitor or attorney in his character and profession only of solicitor or attorney, and not as such officer, clerk, or minister as aforesaid, 3 G. 4. c. 69. s. 4.

6. Extracts of the fees so ordained and established as aforesaid shall be kept hung up in some conspicuous part of the office or place of business of the officer, clerk, or minister respectively, whom the same may concern, 3 G. 4. c. 69. s. 5.

7. In case it shall appear to the persons by whom the said tables shall be established and ordained, or to their successors respectively, that in consequence of the regulations aforesaid, or any of them, compensation ought to be made to any of the officers, clerks, or ministers aforesaid, for any loss which he may sustain by reason thereof, it shall be lawful for the persons by whom the said tables shall be established and ordained as aforesaid, or their successors respectively, and they are hereby required to report to H. M. their opinion and recommendation as to such compensation to be made to such officers, clerks, and ministers respectively, 3 G. 4. c. 69. s. 6.

FELO DE SE.

1. To alter and amend the law relating to the interment of the remains of any person found *Felo de se*, 4 G. 4. c. 52.

2. Whereas it is expedient that the laws and usages relating to the interment of the remains of persons against whom a finding of *Felo de se* shall be had, should be altered and amended: be it therefore enacted, That from and after the passing of this act [*viz.* 8th July 1823.], it shall not be lawful for any coroner, or other officer having authority

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to hold inquests, to issue any warrant or other process directing the interment of the remains of persons against whom a finding of *Felo de se* shall be had, in any public highway: but that such coroner or other officer shall give directions for the private interment of the remains of such person *Felo de se* (without any stake being driven through the body of such person), in the churchyard or other burial ground of the parish or place in which the remains of such person might, by the laws or customs of *Eng.* be interred, if the verdict of *Felo de se* had not been found against such person; such interment to be made within twenty-four hours from the finding of the inquisition, and to take place between the hours of nine and twelve at night, 4 G. 4. c. 52. s. 1.

3. Provided, that nothing herein contained shall authorize the performing of any of the rites of Christian burial on the interment of the remains of any such person as aforesaid; nor shall any thing hereinbefore contained be taken to alter the laws or usages relating to the burial of such persons, except so far as relates to the interment of such remains in such churchyard or burial ground, at such time and in such manner as aforesaid, 4 G. 4. c. 52. s. 2.

FINES AND AMERCIAMENTS.

1. For the more speedy return and levying of fines, penalties, and forfeitures, and recognizances estreated, 3 G. 4. c. 46. [AMD. and REP. as to s. 7, 8. by 4 G. 4. c. 37.]

2. Whereas the 22 & 23 Car. 2. c. 22. was passed, intituled, *An Act for the better and more certain recovery of fines and forfeitures due to H. M.*, which act was MADE PERP. by 4 & 5 W. & M. c. 24.; and whereas the 41 G. 3. (U. K.) c. 85. was passed, intituled, *An Act for better payment of fines and forfeitures imposed by justices out of sessions in Eng.*; and whereas great delays occur in the return of fines, issues, amerciaments, forfeited recognizances, sum and sums of money paid or to be paid in lieu or satisfaction of them or any of them, by or before any justices of the peace, or at any general or quarter sessions of the peace in that part of the U. K. called *Eng.*: and whereas such delays impede the due administration of justice, as well as the recovery of the fines and forfeitures due to the crown thereupon, and it is therefore expedient that further provision should be made for the speedy and regular return of all such fines, issues, amerciaments, forfeited recognizances, and sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them; it is enacted, That from and after the 29th day of Sept. 1822, so much of the aforesaid act of 22 & 23 C. 2. c. 22. [*Stat. Dig.* this title, pl. 14—20. 22, 23., and qu. *how much of the act*] as relates to fines, issues, and amerciaments, forfeited recognizances, sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them, imposed and adjudged at any quarter sessions of the peace: and also such part of the aforesaid act of 4 & 5 W. & M. c. 24. s. 4. as makes perpetual the aforesaid provisions contained in the said act of C. 2., and likewise so much of the 41 G. 3. (U. K.) c. 85. [*viz.* ss. 1, 2. *Stat. Dig.* this title, pl. 27, 28.], as relates to the annual payment of all fines, forfeitures, and penalties, or such parts thereof as shall be due to the king, imposed and received by any justice out of sessions, and not made payable to any body or bodies corporate, or any commissioners of any public board, or any other person or persons, into the hands of the sheriff previous to the *Michaelmas* sessions; and also as requires such justices, previous to the *Michaelmas* sessions yearly, to transmit to the clerk of the peace, or town clerk where such fine was imposed, an account in writing of all such fines, shall be and are hereby repealed, 3 G. 4. c. 46. s. 1.

3. From and after the 29th Sept. 1822, all fines, issues, amerciaments, forfeited recognizances, sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them (save and except the same shall, by virtue of any act of parliament made or to be made, be otherwise directed to be levied, recovered, appropriated or disposed of), which already are or hereafter shall be set, imposed, lost, or forfeited by or before any justice or justices of the peace in that part of the U. K. called *Eng.*, shall be and are hereby required to be certified by the justice or justices of the peace by or before whom any such fines, issues, amerciaments, forfeited recognizances, sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them, shall be set, imposed, lost, or forfeited to the clerk of the peace of the county, or town-clerk of the city, borough or place, in writing, containing the names and residences, trade, profession or calling of the parties, the amount of the sum forfeited by each respectively, and the cause of each forfeiture, signed by such justice or justices of the peace, on or before the ensuing general or quarter sessions of such county, city, borough, or place respectively; and such clerk of the peace or town-clerk shall

copy on a roll such fines, issues, amerciaments, forfeited recognizances, sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them, together with all fines, issues, amerciaments, forfeited recognizances, sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them, imposed or forfeited at such court of general or quarter sessions, and shall, within such time as shall be fixed and determined by such court, not exceeding twenty-one days after the adjournment of such court, send a copy of such roll, with a writ of *distringas* and *capias*, or *fieri facias* and *capias*, according to the form and effect in the schedule marked (A.) annexed to this act, to the sheriff of such county, or the sheriff, bailiff, or officer of such city, borough, or place having execution of process therein respectively, as the case may be, which shall be the authority to such sheriff of such county, or the sheriff, bailiff, or officer, as the case may be, for proceeding to the immediate levying and recovering of such fines, issues, amerciaments, forfeited recognizances, sum or sums of money to be paid in lieu or satisfaction of them or any of them, on the goods and chattels of such several persons, or for taking into custody the bodies of such persons, in case sufficient goods and chattels shall not be found whereon distress can be made for recovery thereof; and every person so taken shall be lodged in the common gaol until the next general or quarter sessions of the peace, there to abide the judgment of the said court. 3 G. 4. c. 46. s. 2.

4. Whereas 3 G. 4. c. 46. was passed, and whereas it is expedient to amend the same, be it enacted, That it shall be lawful for the justices assembled at any general or quarter sessions of the peace, and they are hereby authorized and required, at the following or any subsequent general or quarter sessions held after the return of the writ and roll issued from any preceding general or quarter sessions, at the opening of the court, to insert or cause to be inserted in any following roll, all such fines, issues, amerciaments, forfeited recognizances, sum or sums of money to be paid in lieu or satisfaction of them or any of them, which have not been duly levied or recovered or properly accounted for by the sheriff, bailiff, or other officer, or have not been discharged on appeal before the general or quarter sessions, or by sign manual, warrant or authority of any three or more of the commissioners of H. M.'s treasury of the U. K. of G. B. and Ire., and so to continue such process from sessions to sessions, till it shall be duly ascertained, to the satisfaction of the said commissioners of H. M.'s treasury, that the party in default has not any goods or chattels, lands, or tenements, in the county, division, riding, city, town, or place, on which a levy can be made, nor in any other county, division, riding, city, town, or place in G. B., and that he is not to be found, or that his body cannot be lodged in any of H. M.'s gaols: provided, that the said sheriff, bailiff, or other officer to whom the writ of *distringas* and *capias* or *fieri facias*, or other writ deemed necessary by the justices at any such general or quarter sessions to meet the exigency of the case, shall be sent by order of the said court, shall keep and detain in his possession the writ or writs so directed to him, and the roll or rolls attached to such writ or writs, delivering to the said court of general or quarter sessions a copy of such roll or rolls, on the first day of the sitting of the said court, and also a copy of any former roll or rolls, where the fines, issues, amerciaments, forfeited recognizances, sum or sums of money paid or to be paid in lieu or satisfaction of them, or any of them, shall not have been delivered; and such original writ and roll, or writs and rolls, shall continue in force and effect, and shall be sufficient authority, without any further writ or roll; and such sheriff, bailiff, or other officer is hereby authorized and required, on quitting his office, to deliver over to his successor all rolls and writs in his possession, particularizing any fines, issues, amerciaments, forfeited recognizances, sum or sums of money paid or to be paid in lieu or satisfaction of them, or any of them, in order that the sheriff, bailiff, or other officer coming into office may use every means in his power for recovering the sums so unpaid, and not charged to his predecessor on the passing of his accounts at the exchequer, or before any auditor or auditors, or other person duly authorized to pass the same, the officer or officers entrusted with the execution of the process in any county, division, riding, city, town, or place, being first duly and diligently examined on oath by the court, at the delivery of the roll, on the first day of each general or quarter sessions, and in case such examination should not then take place, then on the subsequent day; and every such examination shall be duly recorded by the clerk of the peace or town-clerk or other proper officer, in order that such sheriff, bailiff, or other officer may be chargeable with all sums not satisfactorily accounted for on the final passing of his accounts, 4 G. 4. c. 37. s. 1.

5. The clerk of the peace or town-clerk shall, before he shall deliver the roll to such sheriff, bailiff, or officer, containing the fines, issues, amerciaments, forfeited recognizances, sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them, and is hereby required to make oath before any justice of the peace for the county, riding, city, borough, or place for which such clerk of the peace or

town-clerk shall act; which oath shall be indorsed on the back of the writ, or of the said roll attached thereto, such clerk of the peace or town-clerk stating therein all such fines, issues, amerciaments, forfeited recognizances, sum or sums of money which shall have been paid or otherwise accounted for; and such oath shall be made in the form following:—

‘ I ——— make oath that this roll is truly and carefully made up and examined, and that all fines issues, amerciaments, recognizances and forfeitures, which were set, lost, imposed, or forfeited, and in right and due course of law ought to be levied and paid, are, to the best of my knowledge and understanding inserted in the said roll, and that in the said roll are also contained and expressed all such fines as have been paid to, or received by me, either in court or otherwise, without any wilful or fraudulent discharge, omission, misnomer, or defect whatever.
So help me GOD.’

3 G. 4. c. 46. s. 3.

6. Each and every justice of the peace before whom any recognizance shall be entered into or taken, shall and is hereby required to give, or cause to be given, at the time of entering into such recognizance, to the person or persons, surety or sureties so entering into the same, and to each of them, a written or printed paper or notice, in the form or to the effect stated in the schedule marked (B.) to this act annexed, adapting the same to the particular circumstances of the case; and each and every such justice shall in such recognizance state and particularly specify not only the profession, art, mystery, or trade of every person so entering into such recognizance, together with their christian name and names and surnames, but also the parish, township, or place of his or her residence; and in case such residence shall be in any city, town, or borough, shall also state and particularly specify the name of the street and number of the house (if any) in which such person shall reside, and also whether owner or tenant thereof, or lodger therein, 3 G. 4. c. 46. s. 4.

7. Provided, that if any person on whose goods and chattels such sheriff, bailiff, or officer shall be authorized to levy any such forfeited recognizance, or sum of money to be paid in lieu or satisfaction thereof, shall give security to the said sheriff, bailiff, or officer for his appearance at the next general or quarter sessions, then and there to abide the decision of the court, and also to pay such forfeited recognizance or sum of money to be paid in lieu or satisfaction thereof, together with all such expences as shall be ordered and adjudged by the court, it shall be lawful for such sheriff, bailiff, or officer, and he is hereby authorized and required to discharge such person so giving such security out of custody: provided also, that in case such party so giving security shall not appear in pursuance of his undertaking, it shall be lawful for the court forthwith to issue a writ of *distringas* and *capias* or *fieri facias* and *capias*, against the surety or sureties of the person so bound as aforesaid, 3 G. 4. c. 46. s. 5.

8. The court of general or quarter sessions before whom any person so committed to gaol or bound to appear shall be brought, is hereby authorized and required to inquire into the circumstances of the case, and shall, at its discretion, be empowered to order the discharge of the whole of the forfeited recognizance, or sum of money paid or to be paid in lieu or satisfaction thereof, or any part thereof; and such order shall be made in the form or to the effect of the schedule marked (C.) to this act annexed, and shall be signed by the clerk of the peace; which said order shall be a discharge to such sheriff, bailiff, or officer on the passing of his accounts at the exchequer, or before any auditor or other proper officer duly authorized to pass the same; and in all cases where the party shall have been lodged in the common gaol by such sheriff, bailiff, or other officer, the justices of the peace so assembled are hereby empowered either to remand such party to the custody of the sheriff, bailiff, or other officer, or upon the release of such party from the whole of such forfeited recognizance, to order such party to be discharged from custody, and such order shall be a full and sufficient discharge to the said sheriff, bailiff, or officer on the passing of his accounts at the exchequer, or before any auditor or other proper officer duly authorized to pass the same; and it shall be lawful to and for the said court of general or quarter sessions to award such costs, charges, and expences to be paid by either party to the other, as to the said court shall seem just and reasonable, 3 G. 4. c. 46. s. 6.

9. Whereas it was enacted by 3 G. 4. c. 46. s. 7., that in all cases where the party incurring any fine, issue, amerciament, forfeited recognizance, sum or sums of money to be paid in lieu or satisfaction of them, shall reside in another county, or in any city, borough, or place having peculiar jurisdiction, or shall have fled into any other county, or into any such city, borough, or place, after such fine, issue, amerciament, forfeited recognizance, sum or sums of money, shall have been incurred, or shall have removed his goods and chattels out of the jurisdiction in which such fine, issue, amerciament, forfeited recognizance, sum or sums of money shall have been imposed, it shall be lawful for the said sheriff, bailiff, or officer, to apply to any justice acting for such county, or place into which the party may have fled or removed his

goods and chattels, and such justice is, upon proof on oath of the handwriting of the sheriff or under-sheriff, bailiff, or officer granting such warrant, to indorse his name thereon, which shall be a sufficient authority to the person bringing such warrant, and to all other persons to whom the same may be directed, to execute the same in such other county, or place; and in case sufficient distress shall not be found whereon to levy such fine, issue, amerciaments, estreated recognizance, sum or sums of money, and all costs attending the recovery thereof, then to take the body of the party, and lodge him in the gaol of the county, or place in which the forfeiture had been incurred, there to await the decision of the ensuing general or quarter sessions; and also by s. 8. that the said sheriff, bailiff, or officer, shall, at the opening of the court, on the first day of the ensuing general or quarter sessions, return the said writ, and shall state on the back of the said roll what shall have been done in the execution of such process; which return, together with a duplicate of the roll of fines, issues, amerciaments, forfeited recognizances, sum or sums of money, at the preceding quarter sessions, and the certificate of the court on the back of the roll, stating that due diligence has been exercised on the part of the sheriff, shall be transmitted by the clerk of the peace to the commissioners of H. M.'s treasury: be it enacted, That so much of the said recited act shall be repealed, 4 G. 4. c. 37. s. 2. [The section 8 is not recited in 4 G. 4. c. 37. s. 2., but it was thought advisable to insert it as it is included in the repeal. See provision in lieu, post, ss. 3, 4. pl. 18, 19.]

10. None of the proceedings under this act shall be liable to any stamp duty, 3 G. 4. c. 46. s. 9.

11. The clerk of the peace and other officers shall be entitled to their usual and legal fees on the discharge of any forfeited recognizance, and the said clerk of the peace to an allowance of sixpence for every one hundred words, for all copies of the roll sent to the said lords commissioners of the treasury: and in case any such sheriff, bailiff, officer, or clerk of the peace shall refuse or neglect to do and perform any duty, act, or thing imposed or required upon or from such sheriff or clerk, bailiff or officer, in manner by this act directed, then and in every such case, such sheriff, bailiff, or officer, or clerk so refusing or neglecting, shall forfeit the sum of fifty pounds, to be recovered by any person who will sue for the same, together with full costs of suit, by action of debt or on the case, in any of H. M.'s courts of record at Westminster, wherein no essoign, protection, wager of law, or any more than one imparlance shall be allowed, 3 G. 4. c. 46. s. 10.

12. Provided, nothing in this act contained shall extend so as to prevent or interfere with the appropriation of any such fines, issues, amerciaments, forfeited recognizances, sum or sums of money, when so paid or accounted for into the said court of exchequer by any such sheriff, bailiff, or officer, but the same shall and may be applied, disposed of, and appropriated in such and the like manner as such fines, issues, amerciaments, forfeited recognizances, sum or sums of money paid in lieu or satisfaction of them or any of them, paid into the exchequer, were applied, disposed of, and appropriated before the passing of this act, [viz. prior to 24th June 1822.] 3 G. 4. c. 46. s. 11.

13. Provided, it shall be lawful for the lords commissioners of H. M.'s treasury to make such compensation as they may think fit, for the loss of any legal fees occasioned to the officers thereof, or to the officers of the court of the duchy of Lancaster, by this act, 3 G. 4. c. 46. s. 12.

14. Provided, nothing in this act contained shall extend, or be in any ways prejudicial to the rights, liberties, or privileges of the king, in right of his duchy or county palatine of Lancaster, 3 G. 4. c. 46. s. 13.

15. Provided, that all and every the clerk and clerks of the peace, and all town-clerks, within that part of the U. K. called Eng., do and shall, on or before the second Monday after the morrow of All Souls yearly in every year, make and deliver into the court of exchequer a true and perfect duplicate on certificate of all such fines, issues, amerciaments, forfeited recognizances, and sum and sums of money, and other forfeitures whatsoever, paid in lieu or satisfaction of them or any of them, as shall be contained in the several rolls or copies which shall be so sent out to the sheriff for the purpose of levying as aforesaid, and which shall have been set, lost, imposed, or forfeited in any of the said sessions of the peace which shall be held before Michaelmas in each year, to the intent that the sheriffs, on their appraisals in the said court of exchequer, may be charged in their accounts with the monies levied and received by them respectively upon such writs or otherwise, and that all parties entitled to any such fines, recognizances or other forfeitures, or any portion thereof, may be at liberty to claim the same before the foreign apposer of the said court of exchequer, according to the antient course and practice of the said court, 3 G. 4. c. 46. s. 14.

16. Provided, nothing in this act contained shall in any sort extend or be construed to extend to the prejudicing the rights and privileges of any bodies politic or corporate, or their successors, or of any lord or lords of any manor, liberty, or franchise whatsoever, 3 G. 4. c. 46. s. 15.

17. Provided nothing in this act contained shall extend to or be in any ways prejudicial to the rights, customs, privileges, liberties, charter

or charters of the city of London; but that the said city may enjoy the same accordingly, as they formerly have enjoyed the same, &c., 3 G. 4. c. 46. s. 16.

18. And in all cases where the party incurring or subject to any fine, issue, amerciaments, forfeited recognizance, sum or sums of money to be paid in lieu or satisfaction of them or any of them, shall reside or shall have fled or removed from or out of the jurisdiction of the sheriff, bailiff, or other officer, in which any such fine, issue, amerciaments, forfeited recognizance, sum or sums of money to be paid in lieu or satisfaction of them or any of them, shall have been incurred, imposed, or forfeited, or become due, it shall be lawful for such sheriff, bailiff, or other officer, to issue his warrant, together with a copy of the writ, directed to the sheriff, bailiff, or other officer acting for the county, riding, city, borough, or place in which such person shall then reside or be, or in which any goods or chattels or other property shall be found, requiring such sheriff, bailiff, or other officer to execute such writ, and every such last-mentioned sheriff, bailiff, or other officer, is hereby authorized and required to act in all respects under such warrant, in the same manner as if the original writ had been delivered to him by order of the court of the general or quarter sessions of the county, riding, city, borough, or place for which such sheriff, bailiff, or other officer shall act; and the said sheriff, bailiff, or other officer is hereby required, within thirty days after the receipt of such warrant, to return to the sheriff, bailiff, or other officer from whom he shall have received the same, what he shall have done in the execution of such process, and whether the party shall have given good and sufficient security to appeal at the ensuing general or quarter sessions to be held for the county, riding, city, borough, or place from which the writ issued, and in case a levy shall have been made, to pay over all monies received in pursuance of the warrant to the sheriff, bailiff, or other officer from whom he shall have received the same, 4 G. 4. c. 37. s. 3.

19. Every sheriff, bailiff, or other officer acting for any county, division, riding, city, borough, or place, shall and he is hereby required to make up or cause to be made up annually, and immediately after the expiration of the year for which he shall act, or after the usual period for making up his account, in case he shall act under any grant, appointment, or other authority for a longer period than one year, an account in writing containing the names and residences of all persons incurring fines, issues, amerciaments, forfeited recognizances, sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them, which he has been authorized or required to levy by virtue of any writ or writs issued to him, or to any predecessor in office; and in case any fine, issue, amerciaments, forfeited recognizance, sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them, shall not have been levied or paid, the causes of non-payment shall be fully and particularly stated; and such account such sheriff, bailiff, or other officer is hereby required to transmit, within thirty days from the expiration of the year for which such account ought to be made up, to the commissioners of H. M.'s treasury, or at or within such other period as such sheriff, bailiff, or other officer shall be required by the said commissioners of H. M.'s treasury, or any three or more of them, in order that such account may be duly examined, checked, and inspected, under the direction of the said commissioners of H. M.'s treasury, or any three or more of them; and when so examined and approved, such account shall be transmitted to the proper officer in the court of exchequer, or to the auditor or other officer duly authorized to pass such account, 4 G. 4. c. 37. s. 4.

20. Every clerk of the peace, and town clerk, or other proper officer, is hereby required, within twenty days from the opening of the court of general or quarter sessions, to send to the commissioners of H. M.'s treasury a copy or an extract of the roll or rolls delivered by the sheriff, bailiff, or other officer, on the first day of the opening of such court of general or quarter sessions, in such form as shall be required by the said commissioners of H. M.'s treasury, also the causes of discharge in case any person shall have been relieved on appeal to the said court of general or quarter sessions, and the answer given by any sheriff, bailiff, or other officer to such court, where any fine, issue, amerciaments, forfeited recognizance, sum or sums of money paid or to be paid in lieu or satisfaction of them or any of them, has not been received by such sheriff, bailiff, or other officer duly authorized to receive the same, 4 G. 4. c. 37. s. 5.

SCHEDULE (A.) [3 G. 4. c. 46. s. 2. pl. 3.]

GEORGE the Fourth, by the grace of God, of the U. K. of G. B. and Ire., King, defender of the faith;

To the sheriff or bailiff or officer (as the case may be) for the county of [or, city, borough, or place, as the case may be] greeting.

You are hereby required and commanded, as you regard yourself and all yours, that you omit not by reason of any liberty in your county, city, borough,

or place, as the case may be, but that you enter the same, and of all the goods and chattels, lands and tenements of all and singular the persons in the several extracts of this writ annexed, you cause to be levied all and singular the debts and sums of money upon them in the same extracts severally imposed and charged, so that the money may be ready for payment at the next general or quarter sessions of the peace, to be paid over in such manner as any two or more of the lords commissioners of H. M.'s treasury may direct; and if any of the said several debts cannot be levied by reason of no goods or chattels being to be found belonging to the parties, then in all cases that you take the bodies of the parties refusing to pay the aforesaid debts, and lodge them in the gaol (of the county, city, &c.) there to await the decision of the justices assembled at the next general or quarter sessions, unless the parties shall have given sufficient security for their appearance at such sessions, for which you will be held answerable, and have you there then this writ. Witness _____ keeper of the rolls of the county, at _____ in the county of _____ the _____ day of _____ in the _____ year of our reign.

Clerk of the peace.

SCHEDULE (B.) [of 3 G. 4. c. 46. s. 4. pl. 6.]

Take notice, that you _____ of _____ are bound in the sum to wit } of _____ pounds and your sureties _____ in the sums of _____ pounds each, to appear at the quarter or general sessions of the peace for the county of _____ to be holden at _____ on the _____ day of _____ next, and unless you personally make your appearance accordingly, the recognizances entered into by yourself and securities will be forthwith levied on you and your bail. Dated this _____ day of _____ one thousand eight hundred and twenty _____

Justice of the peace.

SCHEDULE (C.) [of 3 G. 4. c. 46. s. 6. pl. 8.]

To the sheriff, [bailiff, or officer, as the case may be] of the county, city, borough, or place (as the case may be), of _____

Whereas _____ hath appeared before the justices assembled at the general or quarter sessions [as the case may be] held at the _____ on the _____ day of _____ has forfeited the sum of _____ [here describe the nature of the fine or forfeiture], _____ and having made it appear to the satisfaction of the justices so assembled, that he should be relieved from the payment of the said sum of _____ [or if the penalty is mitigated, state from what part thereof], you are therefore hereby required to discharge the said sum of _____ from the estreat roll delivered to you after the quarter sessions held at _____ for which discharge this warrant shall be your authority, and shall exonerate you from the said charge on the final passing of your accounts at the exchequer, or before any other officer duly authorized to pass such account.

By Order of the Court.

FISH.

1. For packing barrelled fish, 22 Ed. 4. c. 2. REP. 5 G. 4. c. 74. s. 23.

FISHERIES (BRITISH).

1. To amend the several acts for the encouragement and improvement of the *British* and *Irish* fisheries, 5 G. 4. c. 64.

2. Whereas it is expedient that the bounties and allowances payable in respect of vessels fitted out and employed in the *British* and *Irish* fisheries, and also in respect of herrings or other fish taken and cured in such fisheries, should cease, and that certain other bounties should be granted upon herrings and other fish: be it therefore enacted, That from and after 5th July 1825, the several bounties and allowances hereafter mentioned and specified shall cease and determine; that is to say, the bounty of four shillings granted by 55 G. 3. c. 94. s. 6. [Stat. Dig. tit. FISHERY (Herring), pl. 82.] for continuing and amending several acts relating to the *British* white herring fishery, for every barrel of herrings caught, landed, cured, and packed as by the said act is directed; and also the bounty of four shillings granted by 1 & 2 G. 4. c. 79. s. 1. [Stat. Dig. tit. id. pl. 84.] for repealing certain bounties granted for the encouragement of the deep sea *British* white herring fishery, and for making further regulations relating to the said fishery, for every barrel of herrings caught in the fisheries of the *Isle of Man* or other *British* fisheries, in vessels or boats fitted out from the said isle, landed there, and cured and packed as is directed by the said act; and also the several specific bounties and allowances granted and made payable under and by virtue of 1 G. 4. c. 103., [Stat. Dig. tit. FISHERIES (British), pl. 64—70.] intituled, *An Act for the further encouragement and improvement of the British fisheries*; and also such of the several specific bounties and allowances granted and made payable under and by virtue of 59 G. 3. c. 109., intituled, *An Act for the encouragement and improvement of the fisheries*, as shall be

in force at the time of the passing of this act; and also the several specific bounties and allowances granted and made payable under or by virtue of 1 G. 4. c. 82. for amending the 59 G. 3. c. 109., and all such specific bounties and allowances payable under the said recited acts, or any of them, shall be and are hereby repealed accordingly, from and after the said 5th July 1825, 5 G. 4. c. 64. s. 1. [The 59 G. 3. c. 109., and 1 G. 4. c. 82. relate to the *Irish* fisheries; the title of the former act is here misrecited.]

3. From and after the 5th July 1825, and until the 5th July 1829, the several and respective bounties herein-after mentioned shall be paid and allowed; that is to say, for every barrel of herrings which shall be caught, landed, cured, and packed according to the directions of 48 G. 3. c. 110. [Stat. Dig. tit. FISHERY (Herring), pl. 76. et seq.] for the further encouragement and better regulation of the *British* white herring fishery, or of the 55 G. 3. c. 94. [Stat. Dig. tit. FISHERY (Herring), pl. 76. et seq.] or of any other act in force relating to the *British* herring fishery; and also for every barrel of herrings caught in vessels or boats fitted out from the *Isle of Man*, landed there, and cured and packed according to the directions of the 1 & 2 G. 4. c. 79. [Stat. Dig. tit. FISHERY (Herring), pl. 76. et seq.] and also for every barrel of herrings caught, landed, cured, and packed according to the directions of 59 G. 3. c. 109. and 1 G. 4. c. 82., for the encouragement and improvement of the *Irish* fisheries, a bounty of four shillings in the year ending on the 5th July 1826; a bounty of three shillings in the year ending on the 5th July 1827; a bounty of two shillings in the year ending on the 5th July 1828; and a bounty of one shilling in the year ending on the 5th July 1829; and also that there shall be paid and allowed, until the 5th July 1829, to all persons residing in G. B., and who shall cure and dry cod fish, ling or hake, taken on the coasts G. B., *Ire.*, or the *Isle of Man*, under the regulations and directions contained in or referred to by the 1 G. 4. c. 103. [Stat. Dig. tit. FISHERIES (British), pl. 64—70.] for the further encouragement and improvement of the *British* fisheries, a bounty of four shillings for every hundred weight of such dried cod fish, ling or hake; and that there shall be also paid and allowed, under the like regulations and directions, to such persons residing as aforesaid, and curing cod fish, ling or hake in the pickle, a bounty of two shillings and sixpence for every barrel of such pickled cod fish, ling or hake, until the 5th July 1829; and that there shall also be paid and allowed to persons residing on the coasts of *Ire.*, and who shall cure and dry cod fish, ling, hake, haddock, glassen, or conger eel, taken on the coasts of *Ire.* under the regulations and directions mentioned in or referred to by the 59 G. 3. c. 109. for the encouragement and improvement of the *Irish* fisheries, a bounty of four shillings for every hundred weight of such dried cod fish, ling, hake, haddock, glassen, or conger eel, until the 5th July 1829; and that there shall also be paid and allowed, until the 5th July 1829, a bounty of two shillings and sixpence for every barrel of cod, ling, hake, haddock, glassen, or conger eel, taken on the coasts of *Ire.*, and cured with pickle by persons residing in *Ire.*, and curing such fish according to such rules and regulations as the commissioners of the *Irish* fisheries shall from time to time make and appoint for that purpose, 5 G. 4. c. 64. s. 2.

4. From and after the 5th July 1825, and until the 5th July 1829, the several and respective bounties herein-after mentioned shall be paid and allowed to the owner or owners of all such decked or half-decked vessels, or to the person hiring or chartering such vessels as are described in the 59 G. 3. c. 109. for the further encouragement and improvement of the *Irish* fisheries, and in the 1 G. 4. c. 103. for the further encouragement and improvement of the *British* fisheries, and which shall be fitted out from any port in the U. K., for the purpose of fishing for and curing cod fish, ling, hake, haddock, glassen, or conger eel; that is to say, a bounty of twenty shillings per ton for such vessels in the year ending on the 5th July 1826; a bounty of fifteen shillings per ton in the year ending on the 5th July 1827; a bounty of ten shillings per ton in the year ending on the 5th July 1828; and a bounty of five shillings per ton in the year ending on the 5th July 1829, 5 G. 4. c. 64. s. 3.

5. The bounties by this act granted and made payable shall be paid in such manner and under such directions, and subject to such rules, regulations, and restrictions, in all respects, as the bounties heretofore granted under the said recited acts respectively, or any of them, upon such herrings, cod fish, ling, hake, haddock, glassen, or conger eel, and upon or in respect of the tonnage of any such vessels as aforesaid, are by the said recited act respectively made payable, and as if all such directions, rules, regulations, and restrictions were repeated and re-enacted in this act, to all intents and purposes whatsoever, 5 G. 4. c. 64. s. 4.

6. The several bounties herein-before granted and made payable shall be paid according to the amount thereof in *British* currency and shall wholly cease and determine on the 5th July 1829, 5 G. 4. c. 64. s. 5.

8. From and after the 5th July 1825, the several permanent bounties granted, allowed, and made payable on salmon, full red herrings, clean shotten red herrings, and red sprats, and on pilchards and scads, by 43 G. 3. c. 69., intituled, *An Act to repeal the duties of excise payable in G. B., and to grant other duties in lieu thereof*, and by the schedule marked

(C.) to the said act annexed, shall cease and determine; any thing in the said recited act, or any other act or acts to the contrary thereof in anywise notwithstanding, 5 G. 4. c. 64. s. 6.

8. From and after the 5th July 1825, and until the 5th July 1829, the several and respective bounties hereafter mentioned shall be paid and allowed; that is to say, for every cask or vessel of pilchards or scads containing fifty gallons, which shall be duly exported from G. B. to foreign parts in the year ending on the 5th July 1826, a bounty of seven shillings, and in the year ending on the 5th July 1827, a bounty of six shillings, and in the year ending on the 5th July 1828, a bounty of four shillings, and in the year ending on the 5th July 1829, a bounty of two shillings; and that such bounties shall be paid in such manner and under such directions, and subject to such rules, regulations, and restrictions, in all respects, as the bounties on pilchards and scads repealed by this act were paid and payable under any act in force immediately before the passing of this act, 6 G. 4. c. 64. s. 7.

9. From and after the passing of this act, 17th June 1824, all fish cured in any part of the U. K. of G. B. and Ire., shall be and the same are hereby declared to be exempted and excepted from any duty of customs payable on goods, wares, and merchandize exported from G. B. or Ire.; any thing in any act contained to the contrary notwithstanding, 5 G. 4. c. 64. s. 8.

10. And whereas by the 48 G. 3. c. 110. [Stat. Dig. tit. FISHERY (Herring), pl. 76.] for the further encouragement and better regulation of the British white herring fishery, the commissioners for the herring fishery to be appointed pursuant to the said act are authorized to allow premiums or bounties, not exceeding the sum of three thousand pounds in the whole in any one year, for the encouraging the herring fisheries on the sea coasts of Scot.: And whereas by 59 G. 3. c. 109. for the further encouragement and improvement of the Irish fisheries, the lord lieutenant, or other chief governor or governors of Ire., is authorized to direct any sum or sums of money, not exceeding the sum of five thousand pounds in any one year, to be paid to the commissioners of the Irish fisheries, for the encouragement of the coast fisheries of Ire., under the regulations in the said recited act respectively contained: And whereas it is expedient that such sums, not exceeding three thousand pounds and five thousand pounds respectively, should in future be applied in manner herein-after mentioned: be it therefore enacted, That from and after the passing of this act [17th June 1824.], the said several sums, not exceeding three thousand pounds and five thousand pounds respectively, shall be applied and employed by the commissioners of the said fisheries respectively, in the encouraging and assisting the building, making, or repairing of piers or quays at such ports and places on the sea coasts of Scot. and Ire. respectively, as shall appear to the said commissioners of the fisheries respectively to be most fit and necessary, and not for any other purpose whatever; except only in providing materials for the repair of the boats of poor fishermen at such ports or places where piers or quays are or shall be built, not exceeding the amount of five hundred pounds in any one year, in Scot. and Ire. respectively; any thing in the said recited acts to the contrary notwithstanding: provided, that no part of such respective sums shall be granted or allowed to any person by the said commissioners respectively, for the purpose of making or building or repairing of any such pier or quay, except in such cases where the said commissioners shall be satisfied that not less than one fourth part of the expences of building, making, or repairing of any such pier or quay respectively, hath been advanced and paid and expended by such person, 5 G. 4. c. 64. s. 9.

11. All such sums shall be allowed in Scot. by the commissioners of the herring fishery, under such rules and regulations as the said commissioners shall make and publish in that behalf, by and with the approbation of the treasury of the U. K., and a list of the names of the persons entitled to any such sums, the place of residence of each of the said persons, the situation of the pier or quay which shall be in part made, built, or repaired by any such person respectively, and the sums of money paid and expended by such persons respectively, and the sum of money assigned to each person respectively by the said commissioners, shall be made and certified by the said commissioners of the said fisheries from time to time, and at such time as shall be directed and required by the treasury; and it shall be lawful for the treasury, and they are hereby authorized and required to cause the said sums to be paid by the commissioners of excise, at such times and in such manner, and under such regulations as the treasury shall from time to time think proper and expedient; and the treasury shall cause an account of all such sums to be laid before both houses of parliament, within fourteen days after the commencement of every session; and that in Ire. all such sums shall be issued under the directions of the lord lieutenant of Ire.; and the commissioners of the Irish fisheries shall report the application thereof, and a copy of such report shall be laid before parliament, in such and the like manner as is required and directed by the 59 G. 3. c. 109. for the further encouragement and improvement of the Irish fisheries, 5 G. 4. c. 64. s. 10.

FISHERIES (NEWFOUNDLAND).

12. To repeal several laws relating to the fisheries carried on upon the banks and shores of Newfoundland, and to make provision for the better conduct of the said fisheries for five years, and from thence to the end of the then next session of parliament, 5 G. 4. c. 51. [To continue in force for five years from 3d June 1824, and thence until the end of the then next session, s. 17.]

13. Whereas it is expedient to repeal and amend divers statutes and laws relating to the fisheries on the banks and shores of Newfoundland, and to make such further provisions as the present state and condition of the colony require; be it therefore enacted, That the 10 & 11 W. 3. c. 25. [Stat. Dig. tit. id. pl. 204—220.] intituled, *An Act to encourage the trade to Newfoundland*; and so much of 15 G. 3. c. 51. [Stat. Dig. tit. FISHERY (Southern Whale) Stat. REP. pl. 299., again REP. 6 G. 4. c. 105. s. 145., and previously REP. 26 G. 3. c. 50. s. 1., 35 G. 3. c. 92. s. 1.], intituled, *An Act for the encouragement of the fisheries carried on from G. B., Ire., and the British dominions in Europe, and for securing the return of the fishermen, sailors, and others employed in the said fisheries, to the ports thereof, at the end of the fishing season*, as relates to the masters and crews of fishing ships occupying or using any vacant spaces in Newfoundland, to the privilege of drying fish on the shores, to fishing ships or boats not being liable to restraint or regulations with respect to days or hours of working, or making entry at the custom-house, to the carrying or conveying of passengers to the continent of America, to agreements or contracts between hirers or employers and seamen or fishermen, to the penalties on such hirers or employers advancing wages, and on such seamen or fishermen absenting themselves from their duty, or neglecting or refusing to work, and the manner of determining disputes and offences; and also so much of 26 G. 3. c. 26. [Stat. Dig. tit. id. pl. 199. further REP. 6 G. 4. c. 105. s. 175. and semb. EXP. intituled, *An Act to amend and render more effectual the several laws now in force for encouraging the fisheries carried on at Newfoundland and parts adjacent, from G. B., Ire., and the British dominions in Europe, and for granting bounties for a limited time, on certain terms and conditions*, as relates to the wages of green men, the using of seams or nets, seamen or fishermen absenting themselves or neglecting their duty, or deserting or intending to desert; and also so much of 29 G. 3. c. 53. s. 1. [Stat. Dig. tit. id. pl. 229. further REP. 6 G. 4. c. 105. s. 186.] intituled, *An Act for further encouraging and regulating the Newfoundland and Greenland and Southern Whale fisheries*, as relates to the privilege of landing and drying fish in Newfoundland, shall be and the same are hereby repealed, 5 G. 4. c. 51. s. 1.

14. No alien or stranger whatsoever shall at any time hereafter take bait, or use any sort of fishing whatsoever in Newfoundland, or the coasts, bays, or rivers thereof, or on the coast of Labrador, or in any of the islands or places within or dependent upon the government of the said colony; always excepting the rights and privileges granted by treaty to the subjects or citizens of any foreign state or power in amity with H. M., 5 G. 4. c. 51. s. 2. [See 28 G. 3. c. 35. Stat. Dig. this title, pl. 226.]

15. And whereas it is expedient to obviate any doubts which have arisen or may arise, as to what persons are entitled to the right or privilege of taking, curing, and drying fish on the shores and banks of Newfoundland; be it therefore enacted, That it shall and may be lawful for all H. M.'s subjects residing in the U. K., or in any of H. M.'s colonies, plantations, or dominions, to have, use, and enjoy the free trade and traffic, and art of merchandize and fishery to and from Newfoundland and the coast of Labrador aforesaid, and all and every the islands or places within or dependent upon the government of Newfoundland, and peaceably to have, use, and enjoy the freedom of fishing and taking bait in any of the seas, rivers, lakes, creeks, harbours, or roads in or about Newfoundland or the said coast of Labrador, or any of the islands adjacent thereunto respectively; and liberty to go on shore on any vacant or unoccupied part of Newfoundland, or said coasts of Labrador, or any of the said islands adjacent thereunto respectively, for curing, salting, drying, and husbanding of their fish, and for making oil; and to cut down wood and trees on any such vacant or unoccupied places as aforesaid, for building and making or repairing of stages, ship-rooms, train-fats, hurdles, ships, boats, and other necessities for themselves and their servants, seamen, and fishermen, and all other things which may be useful or advantageous to their fishing trade to do, as fully and freely as at any time heretofore by virtue of any former act of parliament hath been done there by any of H. M.'s subjects, without any hindrance, interruption, denial, or disturbance whatsoever, 5 G. 4. c. 51. s. 3.

16. Whenever any ship or vessel shall be cleared out from any port in the said colony of *Newfoundland*, or in any other part of H. M.'s dominions, for the said fisheries on the banks or coasts of *Newfoundland* or *Labrador*, or the dependencies thereof, without having on board any article of traffic (except only such provisions, nets, tackle, and other things, as are usually employed in and about the said fishery, and for the conduct and carrying on of the same), the master of any such ship or vessel shall be entitled to demand from the collector, or other principal officer of H. M.'s customs at such port, a certificate under his hand that such vessel hath been specially cleared out for the *Newfoundland* fishery, for which certificate a fee of five shillings and no more shall be payable to such collector or other principal officer as aforesaid, and such certificate shall be in force for the fishing season of the year in which the same may be granted, and no longer; and upon the first arrival in any port in the said colony of *Newfoundland*, or its dependencies, if any ship or vessel having on board any such certificate as aforesaid, a report thereof shall be made by the master of such ship or vessel, to the principal officer of H. M.'s customs at such port, who shall forthwith make an entry of such report in the books of the custom-house to which he may be attached or belong, and for receiving and registering such report, a fee not exceeding five shillings shall and may be taken by such officer of the customs at *Newfoundland*; and all ships and vessels having on board any such certificate as aforesaid, which hath in manner aforesaid been duly reported to some officer of H. M.'s customs within the said colony, and being actually engaged in the said fishery, or in carrying coastwise, to be landed or put on board any other ships or vessels engaged in the said fishery, any fish, oil, salt, provisions, or other necessaries for the use and purposes thereof, shall be exempt from all obligation to make any entry at or obtain any clearance from any custom-house at *Newfoundland*, upon entering the ports or harbours of the said colony or its dependencies, during the continuance of the fishing season for which such certificate may have been granted: provided, that when any such ship or vessel as aforesaid shall finally quit the said fishery, for any country or place not being within the said colony or the dependencies thereof, such ship or vessel shall obtain the usual clearance from some port in the said colony, or the dependencies thereof; and previously to obtaining such clearance, the master of such ship or vessel shall deliver up the before-mentioned certificate to the principal officer of the customs of such port: provided, that in case any such ship or vessel shall have on board, during the time the same may be engaged in the said fishery, any goods or merchandizes whatsoever other than fish, seals, oil made of fish or seals, salt, provisions, or other things, being the produce of or usually employed in the said fishery, such ships or vessels shall forfeit the said fishing certificate, and shall thenceforth become and be subject and liable to all such and the same rules, restrictions, and regulations, as such ship or vessel would have been subject or liable to if this act had not been made, 5 G. 4. c. 51. s. 4.

17. And for preserving the harbours of the said colony of *Newfoundland* and its dependencies from all annoyances, be it further enacted, That no ballast, stones, or any thing else hurtful or injurious to any of the harbours there, shall be thrown out of any ship, vessel, or boat, or otherwise, by any person whatsoever, to the prejudice of any of the said harbours, but that all such ballast and other things shall be carried on shore and be laid where they may do no annoyance; and if any person shall throw out of any ship, vessel, or boat, or otherwise, any ballast, stones, or other thing hurtful or injurious to any of the harbours of the said colony or its dependencies, or shall wantonly or maliciously do or procure to be done any other matter or thing whereby any of the said harbours shall or may be damaged or impaired, the person so offending shall incur and become liable to the payment of any fine, not less than forty shillings, nor more than fifty pounds sterling, *British* money, or to imprisonment for any time not exceeding one calendar month, or both, at the discretion of the court before which any such offender may be convicted, 5 G. 4. c. 51. s. 5.

18. No person whatsoever shall cast anchor or do any other matter or thing to the annoyance or hindering of the drawing or hawling of nets or seans in the customary baiting places in *Newfoundland*, or the dependencies thereof, or shoot his or their net or sean within or upon the net or sean of any other person whatever; and also that no person whatsoever shall steal, purloin, or take any fish or bait out of the net or sean of any other person whatsoever, lying adrift or drover for bait by night, 5 G. 4. c. 51. s. 6.

19. No person whatsoever shall employ or cause to be employed at *Newfoundland*, or any of the dependencies thereof, for the purpose of carrying on the fishery there, any seamen or fishermen going as passengers, or any seamen or fishermen hired there, without first entering into an agreement or contract with every such seaman or fisherman, declaring what wages or shares such seaman or fisherman is to have, and the time for which he shall serve, and in what manner such wages or shares are to be paid or allowed; and every such agreement or

contract shall be made in writing, and shall be signed by all the parties thereto, 5 G. 4. c. 51. s. 7.

20. No hirer or employer of any such seaman or fisherman shall pay or advance, or cause to be paid or advanced to such seaman or fisherman in money or goods, during the time he shall be in the service of such hirer or employer, more than to the amount of three fourths of the wages or shares which by the said contract or agreement shall be agreed to be paid or allowed to such seaman or fisherman; but such hirer or employer shall and is hereby required and directed immediately at or upon the expiration of every such seaman or fisherman's covenanted time of service, to pay either in money or goods (according as may be agreed upon as aforesaid in such contract or agreement in writing), to every such seaman or fisherman, the full balance of one fourth of his stipulated wages or shares aforesaid; and it shall not be lawful for any such hirer or employer to turn away or discharge any such seaman or fisherman, except for wilful neglect of duty or other sufficient cause before the expiration of his stipulated time of service; and in case the hirer or employer of any such seaman or fisherman shall refuse or neglect to comply with any of the terms herein-before mentioned, or shall otherwise offend against this act, every such person so offending shall forfeit for every such offence any sum not less than five pounds, nor more than fifty pounds sterling money, to the use of such person as shall inform or sue for the same, to be recovered in the supreme court of *Newfoundland*, or by bill, plaint, or information in any of H. M.'s courts of record at *Westminster*: provided, that every such suit or prosecution, if the same be commenced in *Newfoundland*, shall be commenced within one year; and if commenced in any of H. M.'s courts of record at *Westminster*, within two years from the time of the commission of such offence, 5 G. 4. c. 51. s. 8.

21. In all cases where disputes shall arise concerning the wages of any such seaman or fisherman, the hirer or employer shall be obliged to produce the contract or agreement in writing herein-before directed to be entered into with every such seaman or fisherman, and also to give a copy thereof to every such seaman or fisherman, if so required, 5 G. 4. c. 51. s. 9.

22. All the fish and oil which shall be taken and made by the person who shall hire or employ such seaman or fisherman, shall be subject and liable in the first place to the payment of the wages or shares of every such seaman or fisherman, and of the demands of such person as shall *bonâ fide* supply bait to such seaman or fisherman for the use and benefit of the hirer or employer of such seaman or fisherman, 5 G. 4. c. 51. s. 10.

23. In case any such seaman or fisherman shall at any time wilfully absent himself from his duty or employ without the leave and consent of his hirer or employer, or shall wilfully neglect or refuse to work, according to the true intent and meaning of his said contract or agreement, such seaman or fisherman shall for every day he shall so absent himself, or neglect or refuse to work as aforesaid, forfeit any number of days' pay or shares not exceeding thirty to such hirer or employer; and if any such seaman or fisherman shall wilfully absent himself from his said duty or employment for the space of fourteen days without such leave as aforesaid, he shall be deemed a deserter, and shall forfeit to such hirer or employer all such wages as shall at the time of such desertion be due to him; and it shall and may be lawful for any justice or justices of the peace of *Newfoundland*, or the dependencies thereof, to issue his or their warrant or warrants to apprehend every such deserter, and on the oath of one witness to commit him to prison, there to remain until the next court of sessions; and if found guilty of the said offence at such court of sessions, it shall and may be lawful to and for the said court of sessions to order such deserter to be imprisoned for any time not exceeding three calendar months, and afterwards to be put on board a passage ship, in order to his being conveyed back to the country whereto he belongs, in case such deserter be not a native of or settled within the said colony, 5 G. 4. c. 51. s. 11.

24. It shall and may be lawful for H. M., by advice of his council, from time to time give such orders and instructions to the governor of *Newfoundland*, or to any officer or officers on that station, as he or they shall deem proper and necessary to fulfil the purposes of any treaty or treaties now in force between H. M. and any foreign state or power; and in case it shall be necessary to that end, to give orders and instructions to the governor or other officer or officers aforesaid, to remove or cause to be removed any stages, flakes, train-fats, or other works whatever, for the purpose of carrying on the fishery, erected by H. M.'s subjects on that part of the coast of *Newfoundland* which lies between *Cape Saint John* passing to the north, and descending to the western coast of the said island to the place called *Cape Raye*, and also all ships, vessels, and boats belonging to H. M.'s subjects which shall be found within the limits aforesaid; and also, in case of refusal to depart from within the limits aforesaid, to compel any of H. M.'s subjects to depart from thence, 5 G. 4. c. 51. s. 12.

25. If any person shall refuse, upon requisition made by the go-

vernor, or any officer or officers acting under him in pursuance of H. M.'s orders or instructions as aforesaid, to depart from within the limits aforesaid, or otherwise to conform to such requisitions and directions as such governor or other officer as aforesaid shall make or give for the purposes aforesaid, every such person so refusing or otherwise offending against the same, shall forfeit the sum of fifty pounds sterling money: provided, that every such prosecution, if the same be commenced in *Newfoundland*, shall be commenced within one year; and if commenced in any of H. M.'s courts of record at *Westminster*, within two years from the time of the commission of such offence, 5 G. 4. c. 51. s. 13.

26. And whereas by 51 G. 3. c. 45. s. 1. [*Stat. Dig. tit. NEWFOUNDLAND, pl. 17.*], the governor of the island of *Newfoundland* is empowered to dispose of certain places in the harbour of *Saint John* in the said island, called "Fishing Ships Rooms," as therein particularly described: and whereas it is expedient that all other fishing ships rooms in *Newfoundland* should be disposed of in like manner; be it further enacted, That the governor of *Newfoundland* for the time being shall have power, and he is hereby authorized to sell, lease, or dispose of all such places within the said island of *Newfoundland*, commonly called "Ships Rooms," as may not be already disposed of under and by virtue of the said last-mentioned act, to be held in the same manner as other property in *Newfoundland*; provided however, that nothing herein contained shall extend or be construed to the prejudice of any private right of any person whatever, 5 G. 4. c. 51. s. 14.

27. It shall and may be lawful for H. M., to grant to any persons or person any waste and unoccupied lands situate and being within the said colony, and which have not hitherto been granted by H. M., or any of his royal predecessors, to any persons or person; any thing in any charter granted by any of H. M.'s royal predecessors, or in any act of parliament, to the contrary contained in anywise notwithstanding, 5 G. 4. c. 51. s. 15.

28. All penalties hereby imposed shall and may be sued for and

recovered in any of H. M.'s courts of record in the said colony of *Newfoundland*, or its dependencies, and shall go and be applied, one half to the benefit of any person who may sue or inform for the same, and the other half to H. M., for and towards the support of the government of the said colony, 5 G. 4. c. 51. s. 16.

FISHERY (SOUTHERN WHALE).

29. For the further encouraging the southern whale fishery, 38 G. 3. c. 57. [*ss. 5, 6. Stat. Dig. this title, pl. 327, 328. REP. 4 G. 4. c. 80. s. 12. See ante, EAST INDIA COMPANY, Trade and Shipping, pl. 139.*]

30. For continuing the premiums allowed to ships employed in and for enlarging the limits of the southern whale fisheries, 42 G. 3. c. 18. [*Stat. Dig. this title, pl. 329.*] REP. 4 G. 4. c. 80. s. 12.

31. For enlarging the limits of the southern whale fishery, 43 G. 3. c. 90. [*Stat. Dig. this title, pl. 330. REP. 4 G. 4. c. 80. s. 12.*]

32. For continuing the premiums allowed to ships employed in the southern whale fishery, 51 G. 3. c. 34. [*Stat. Dig. this title, pl. 331. REP. 4 G. 4. c. 80. s. 12.*]

FRAME-WORK, &c.

Entering house with intent to cut frame-work, knitted pieces, &c., 28 G. 3. c. 55. s. 4. [*See Stat. Dig. this title, pl. 21.*] REP. 4 G. 4. c. 46. s. 2. See *post*, OFFENCE, &c. [*See 54 G. 3. c. 42. s. 2. This act seems to be considered REP. by 57 G. 3. c. 126., which is Exp.*]

FUEL.

Concerning the assize of fuel, 43 El. c. 14. AMD. 9 A. c. 15. 10 A. c. 6. [*All REP. 5 G. 4. c. 74. s. 23.*]

GAOLS.

GAOLS. (See PRISONS.)

(STATUTES repealed.)

1. Enquiry shall be made of gaolers which by duress compel prisoners to appeal, 1 Ed. 3. st. 1. c. 7. [*Stat. Dig. tit. PRISONS, pl. 5. REP. 4 G. 4. c. 64. s. 1.*]

2. Sheriffs and gaolers shall receive offenders without taking any thing, 4 Ed. 3. c. 10. [*Stat. Dig. tit. PRISONS, pl. 7. REP. 4 G. 4. c. 64. s. 1.*]

3. The punishment of a gaoler compelling a prisoner by duress to become an approver, 14 Ed. 3. st. 1. c. 10. [*Stat. Dig. tit. PRISONS, pl. 6. REP. 4 G. 4. c. 64. s. 1.*]

4. For the due execution of divers laws and statutes heretofore made against rogues, vagabonds and sturdy beggars, and other lewd and idle persons, 7 J. 1. c. 4. [*Stat. Dig. tit. PRISONS, pl. 22.; VAGRANT, pl. 11. 13, 14. REP. as to ss. 2—4. 6. 9. by 4 G. 4. c. 64. s. 1.*]

5. For the relief of poor prisoners, and setting them to work, 19 C. 2. c. 4. [*Stat. Dig. tit. PRISONS, pl. 26. 28, 29. REP. as to ss. 1—3. 5. by 4 G. 4. c. 64. s. 1.*]

6. For the relief and release of poor distressed prisoners for debt, 22 & 23 C. 2. c. 20. [*Stat. Dig. tit. id., pl. 30—34. REP. as to ss. 10—13. by 4 G. 4. c. 64. s. 1.*]

7. To enable justices of peace to build and repair gaols in their respective counties, 11 & 12 W. 3. c. 19. AMD. 24 G. 3. sess. 2. c. 54. [*Stat. Dig. tit. id., pl. 56—87. REP. 4 G. 4. c. 64. s. 1.*]

8. For the relief of debtors, with respect to the imprisonment of their persons, 2 G. 2. c. 22. [*Stat. Dig. tit. INSOLVENT DEBTORS, Stat. REP. pl. 7. and note there. REP. 4 G. 4. c. 64. s. 1. as to ss. 3—7.*]

9. To supply some defects in the laws for repairing and rebuilding county bridges; for repairing, enlarging, erecting, and providing houses of correction; and for passing rogues and vagabonds, 14 G. 3. c. 35. [*Stat. Dig. tit. PRISONS, pl. 104. REP. as to s. 2. by 4 G. 4. c. 64. s. 1.*]

10. For the further punishment of persons who shall aid or assist prisoners to attempt to escape out of lawful custody, 16 G. 2. c. 31. [*Stat. Dig. tit. PRISONS, pl. 126—131. REP. 4 G. 4. c. 64. s. 1.*]

11. To amend and make more effectual the laws relating to rogues, vagabonds, and other idle and disorderly persons, and to houses of correction, 17 G. 2. c. 5. [*Stat. Dig. tit. id., pl. 102. 105—107. 118. REP. as to ss. 30, 31. by 4 G. 4. c. 64. s. 1.*]

12. For providing clergymen to officiate in gaols within that part of the U. K. called *Eng.*, 13 G. 3. c. 58. AMD. 55 G. 3. c. 48., 58 G. 3. c. 32. [*Stat. Dig. tit. PRISONS, pl. 165, 166, 168, 169, 170—174. REP. 4 G. 4. c. 64. s. 1.*]

13. For preserving the health of prisoners in gaols, and preventing the gaol distemper, 14 G. 3. c. 59. [*Stat. Dig. tit. id., pl. 179—182. REP. 4 G. 4. c. 64. s. 1.*]

14. For the amending and rendering more effectual the laws in being relative to houses of correction, 22 G. 3. c. 64. EXPLAINED, 24 G. 3. sess. 2. c. 55., 55 G. 3. c. 48. [*Stat. Dig. tit. id., pl. 103. 108—125. 165. 167. 170—174. REP. 4 G. 4. c. 64. s. 1.*]

15. For the more effectual execution of the laws respecting gaols, 29 G. 3. c. 67. [*Stat. Dig. tit. id., pl. 183—186. REP. 4 G. 4. c. 64. s. 1.*]

16. For the better regulating of gaols and other places of confinement, 31 G. 3. c. 46. [*Stat. Dig. tit. id., pl. 187—207. REP. except s. 7. by 4 G. 4. c. 64. s. 1.*]

(STATUTES in force.)

17. To authorize the advance of money by the commissioners under several acts for the issue of exchequer bills for public works, for the building, rebuilding, enlarging, or repairing of gaols in *Eng.*, 4 G. 4. c. 63. [As to borrowing money for like purposes, see 4 G. 4. c. 64. ss. 54, 55. *post*, pl. 84, 85., 5 G. 4. c. 85. s. 20. *post*, pl. 86., and 6 G. 4. c. 40. pl. 142.]

18. Whereas 3 G. 4. c. 86. was passed, intituled, *An Act to amend two acts of the fifty-seventh year of His late Majesty, and the first year of His present Majesty, for authorizing the issue of exchequer bills and the advance of money for carrying on public works and fisheries, and employment of the poor; and to authorize a further issue of exchequer bills for the purposes of the said acts: and whereas it is expedient that the provisions of the said recited act, and of the several acts of parliament recited in the said act, should be extended to empowering the commissioners therein named to advance money for the building, rebuilding, enlarging, repairing, improving, or fitting up of gaols or houses of correction in Eng.: be it therefore enacted, That upon the application of the major part of the justices of any county, riding, division, city, town, or place in Eng. in quarter sessions assembled, such major part to consist of five at the least, it shall be lawful for the commissioners, who are authorized*

and empowered to advance money for public works under the provisions of the 5 G. 4. c. 86., and of the several acts therein recited, and they are hereby empowered to make advances, under the powers, authorities, provisions, and regulations of the said acts, for the building, rebuilding, enlarging, improving, repairing, or fitting up of any gaols or houses of correction in Eng., in like manner in every respect as if gaols and houses of correction had been included in the provisions of the said recited acts; and it shall be lawful for the justices of the peace of any county, or of any city, town, or place in Eng., authorized to make rates for the repairing of any gaol or house of correction, to receive any sums of money so advanced, and to apply the same to the purposes for which such advances shall be made, and to make rates for the repayment of any sums of money so advanced, in such manner, and in such proportions, and at such times as shall be required by the said commissioners in that behalf, and also to assign the rates so to be made as aforesaid, as a security for the said advances in such manner and form as the said commissioners shall direct and appoint, so as that all sums so advanced, with interest thereon at and after the rate specified in the 5 G. 4. c. 86., shall be fully repaid and satisfied within the period of twenty years from the advancing thereof, and all such rates shall be made, assessed, levied, and recovered in like manner as any county rates may be made, assessed, raised, levied, and recovered, and shall continue in force until all such advances, with interest after the rate aforesaid, shall severally and respectively be fully paid and discharged, 4 G. 4. c. 63.

19. For consolidating and amending the laws relating to the building, repairing, and regulating of certain gaols and houses of correction in Eng. and Wa., 4 G. 4. c. 64. [AMD. as to cities, &c. contracting with counties, &c. for the custody of their prisoners, and for procuring information as to the state of all other gaols and houses of correction in Eng. and Wa., 5 G. 4. c. 85., and further AMD. as to offenders in gaol under sentence of transportation, 5 G. 4. c. 84. ss. 18, 19. The 4 G. 4. c. 64. to take effect and commence from and after 1st Sept. 1823. *id.* s. 78., and repealed as to the cities of Canterbury, Lichfield and Lincoln, 5 G. 4. c. 85. s. 9. As to the prisons, &c. to which these acts do not extend, see 4 G. 4. c. 64. s. 76. *pl.* 109., and 5 G. 4. c. 85. s. 27. *pl.* 123.; and as to gaols, &c. in ridings and divisions of counties, see 5 G. 4. c. 12. *post.* *pl.* 124.; and as to borrowing money for building, repairing, &c. gaols, &c. upon mortgage of the county rate, 6 G. 4. c. 40. s. 5. *post.* *pl.* 147.]

20. Whereas the laws now existing relative to the building, repairing, and regulating of gaols and houses of correction in Eng. and Wa., are complicated, and have in many cases been found ineffective: and whereas it is expedient that such measures should be adopted, and such arrangements made in prisons, as shall not only provide for the safe custody, but shall also tend more effectually to preserve the health and to improve the morals of the prisoners confined therein, and shall insure the proper measure of punishment to convicted offenders: and whereas due classification, inspection, regular labour and employment, and religious and moral instruction, are essential to the discipline of a prison, and to the reformation of offenders: and whereas the present laws directing the separation, superintendence, employment, and instruction of prisoners, require to be amended and enlarged, and to be more uniformly and strictly carried into effect; and it is therefore expedient that the most useful provisions contained in the several statutes and acts and parts of statutes and acts hereinafter mentioned, should be consolidated, and that some new provisions should be added thereto:—[Preamble to 4 G. 4. c. 64. s. 1.—And whereas it is expedient that 4 G. 4. c. 64. should in some respects be amended, and that provision should be made for ascertaining the state of all other prisons in Eng. and Wa.—Preamble to 5 G. 4. c. 85. s. 1.]—be it therefore enacted, That from and after the commencement of this act, [*viz.* 10th July 1823.] the several statutes and acts, and parts of statutes and acts following, shall be repealed, so far as relates to such gaols or prisons, or houses of correction, as this act shall extend to, that is to say, so much of a statute passed, 1 Ed. 3. st. 1. c. 7. [Stat. Dig. tit. PRISONS, &c. *pl.* 5.] as relates to inquiry to be made of gaolers which by duress compel prisoners to appeal: and also so much of 4 Ed. 3. c. 10. [Stat. Dig. tit. PRISONS, *pl.* 7.] as relates to sheriffs and gaolers receiving offenders without taking any thing: and also so much of 14 Ed. 3. st. 1. c. 10. [Stat. Dig. tit. PRISONS, *pl.* 6.] as relates to the punishment of a gaoler compelling a prisoner by duress to become an approver: and also, 7 Ja. 1. c. 4. ss. 2—4. 6. 9. [Stat. Dig. tit. PRISONS, *pl.* 22., and tit. VAGRANT, *pl.* 11—13, 14.] intituled, *An Act for the due execution of divers laws and statutes heretofore made against rogues, vagabonds, and sturdy beggars, and other lewd*

and idle persons, as relates to the providing houses of correction, to the appointment, authority, and allowance of the governor, and to his accounting to justices for persons committed to his custody: and also so much of 19 Car. 2. c. 4. ss. 1—3. 5. [Stat. Dig. tit. PRISONS, *pl.* 26. 28. 29.] intituled, *An Act for the relief of poor prisoners, and setting them to work*, as relates to the providing stocks for setting such prisoners to work, and to the removal of prisoners on occasion of sickness: and also so much of 22 & 23 C. 2. c. 20. ss. 10—13. [Stat. Dig. tit. PRISONS, *pl.* 30—34.] intituled, *An Act for the relief and release of poor distressed prisoners for debt*, as relates to prisoners being allowed to send for victuals and other necessities, and to fees and charities, and to the separation of felons and debtors: and also an act passed, 11 & 12 W. 3. c. 19. [Stat. Dig. tit. PRISONS, *pl.* 57—64.] intituled, *An Act to enable justices of peace to build and repair gaols in their respective counties*; any thing in 6 G. 1. c. 19. s. 1. for making perpetual any act or acts relating to the building and repairing of county gaols to the contrary notwithstanding: and also so much of 2 G. 2. c. 22. ss. 3—7. [*which seems to have been virtually repealed, except s. 13. by 32 G. 2. c. 28., as well as expired; see note to Stat. Dig. tit. INSOLVENT DEBTORS, Stat. REP., &c. pl. 7.*] intituled, *An Act for the relief of debtors, with respect to the imprisonment of their persons*, as relates to prisoners being allowed by keepers of prisons and gaols to send for victuals and other necessities, and to the taking of fees, and the making and hanging up tables thereof, and to inquiries concerning the same, and to the hearing of complaints of extortion against gaolers, and examining into gifts and legacies for the benefit of poor prisoners, and hanging up tables thereof: and also so much of 14 G. 2. c. 53. s. 2. [Stat. Dig. tit. PRISONS, *pl.* 104.] intituled, *An Act to supply some defects in the laws for repairing and rebuilding county bridges, for repairing, enlarging, erecting, and providing houses of correction, and for passing rogues and vagabonds*, as relates to repairing, enlarging, and building houses of correction, and to buying houses and lands for that purpose: and also so much of 16 G. 2. c. 51. [Stat. Dig. tit. PRISONS, *pl.* 126—131.] intituled, *An Act for the further punishment of persons who shall aid or assist prisoners to attempt to escape out of lawful custody*, as relates to the escapes of prisoners from any gaol or prison to which this act shall extend: and also so much of 17 G. 2. c. 5. ss. 30, 31. [Stat. Dig. tit. PRISONS, *pl.* 102—107. 118.] intituled, *An Act to amend and make more effectual the laws relating to rogues, vagabonds, and other idle and disorderly persons, and to houses of correction*, as relates to the erecting, enlarging, and managing of houses of correction, and the fining or turning out of masters of them for misbehaviour: and also so much of 24 G. 2. c. 40. ss. 13, 14, 15, 16. [Stat. Dig. tit. PRISONS, *pl.* 138—142.] made among other things for granting an additional duty upon spirituous liquors, and upon licences for retailing the same, and for repealing 20 G. 2. c. 59., made among other things for more effectually restraining the retailing of distilled spirituous liquors, as relates to the retailing of spirituous liquors in gaols, prisons, or houses of correction, to the carrying of liquors into the same, to the search for such liquors, and to the hanging up of a copy of certain clauses of the said act in such gaols, prisons, or houses: and also so much of 32 G. 2. c. 28. ss. 4—10. [Stat. Dig. tit. ARREST, *pl.* 15. tit. PRISONS, *pl.* 155—162.] for relief of debtors, with respect to the imprisonment of their persons, as relates to prisoners being allowed to send for victuals and other necessities, and to the settling, signing, and reviewing, enrolling, and hanging up of tables of fees, rates, and benefactions, and rules for the government of gaols and prisons: and also 13 G. 3. c. 58. [Stat. Dig. tit. PRISONS, *pl.* 165, 166, 168, 169.] intituled, *An Act for providing clergymen to officiate in gaols within that part of G. B. called Eng.*: and also 14 G. 3. c. 59. [Stat. Dig. tit. PRISONS, *pl.* 179—182.] intituled, *An Act for preserving the health of prisoners in gaol, and preventing the gaol distemper*: and also 22 G. 3. c. 64. [Stat. Dig. tit. PRISONS, *pl.* 103. 108—118. 165, 167.] intituled, *An Act for the amending and rendering more effectual the laws in being relative to houses of correction*: and also the 24 G. 3. sess. 2. c. 54. [Stat. Dig. tit. PRISONS, *pl.* 56. 65—87.] made to explain and amend the herein-before recited act, 11 & 12 W. 3. c. 19., and the 24 G. 3. sess. 2. c. 55. [Stat. Dig. tit. PRISONS, *pl.* 103. 119—125.] made to explain and amend the herein-before recited act of 22 G. 3. c. 64.: and also 29 G. 3. c. 67. [Stat. Dig. tit. PRISONS, *pl.* 183—186.] intituled, *An Act for the more effectual execution of the laws respecting gaols*: and also 31 G. 3. c. 46. [Stat. Dig. tit. PRISONS, *pl.* 187—207.] intituled, *An Act for the better regulating of gaols and other places of confinement*, except only so much of the said act as relates to the imprisonment and employment in hard labour in the common gaol of the county, of prisoners sentenced to transportation, or to whom the royal mercy shall be extended on condition of transportation [*s. 7. pl.* 194.]: and also 55 G. 3. c. 48. [Stat. Dig. tit. PRISONS, *pl.* 170—174.] for enlarging the powers of the herein-before recited acts of 13 G. 3. c. 58. and 22 G. 3. c. 64., for providing clergymen to officiate in gaols and houses of correction within Eng. and Wa.: and also 58 G. 3. c. 32. [Stat. Dig. tit. PRISONS, *pl.* 174.] to amend so much of the said act 55 G. 3. c. 48., as relates to the sa-

laries of the clergymen officiating as chaplains in houses of correction; and the said several statutes and acts, and parts of statutes and acts, are hereby repealed accordingly, and from and after the commencement of this act [*viz.* 1st Sept. 1823. *see* s.78.], shall cease and determine so far as relates to gaols and houses of correction to which this act shall extend; save and except so far as the said acts, or any of them, repeal any former act or acts, or any clause, matter, or thing therein; and also save and except as to any proceeding for the punishment of any person for any offence which shall before the commencement of this act have been committed; and as to any presentment before that time made by any justice of the peace or grand jury; and as to any appointment before that time made by any officer or other person to perform any duties under the said recited acts, or any of them; and as to any rules and regulations, acts and deeds, before that time lawfully established, made, or done, under or by virtue of any one or more of the said acts; and as to the fulfilment of any contracts or agreements before that time lawfully made under or by virtue of the said recited acts, or any of them, 4 G. 4. c. 64. s. 1.

21. From and after the commencement of this act, there shall be maintained, at the expence of every county in *Eng.* and *Wa.*, one common gaol; and at the expence of every county not divided into ridings or divisions, and of every riding or division of a county (having several and distinct commissions of the peace, or several or distinct rates in the nature of county rates, applicable by law to the maintenance of a prison for such division), in *Eng.* and *Wa.*, at least one house of correction; and one gaol and one house of correction shall be maintained in the several cities, towns, and places mentioned in the schedule marked (A.) annexed to this act; and the regulations and provisions contained in this act shall extend, in manner herein-after mentioned, to every such gaol and house of correction, maintained at the expence of such county, riding, division, city, town, or place, and to the several gaols and houses of correction in the cities of *London* and *Westminster*, 4 G. 4. c. 64. s. 2.

22. Provided, that where there shall have been already established, and shall be existing at the time of passing of this act, in any county, riding, division, city, town, or place, one or more house or houses of correction, not sufficient or capable of being made sufficient for the extended classification required by this act, it shall be lawful for the justices at their general quarter sessions, or the major part of them, if they think fit, to order that, in addition to the house of correction herein-before [s. 2. pl. 21.] directed to be maintained for the purposes of this act, one or more of such houses of correction as shall be so existing at the time of the passing of this act, shall be continued and maintained for the reception of one or more particular class or classes or description of prisoners, as may be prescribed by the justices at their general or quarter sessions as hereby directed, 4 G. 4. c. 64. s. 3.

23. And at the *Michaelmas* general quarter sessions which shall be held in every county, riding, or division of a county in *Eng.* and *Wa.*, and in the several districts, cities, towns, and places to which this act shall extend, next after the commencement of this act, and at any subsequent general or quarter sessions to be held from time to time, the justices of the peace there assembled, shall proceed in carrying this act into effect; and such justices shall, by orders to be made for that purpose, ascertain and declare to what class or classes of prisoners every such gaol, house or houses of correction, or any part or parts of any of them, shall be applicable; and every such order shall be signed by the chairman of such sessions, and shall be notified by the clerks of the peace to the several justices of the peace in every such county, riding, or division, district, city, town, or place respectively; and notice thereof shall be inserted in three of the newspapers usually circulated in such county, riding, division, district, city, town, or place respectively, within three weeks after such order shall be made at any such sessions; and a copy thereof shall be served upon the keeper of every gaol or house of correction within every such county, riding, division, district, city, town, or place; and after the making of such order, and service of such copy thereof upon such keeper, such class or classes of prisoners as shall be specified in such order, and no other, shall be committed to or detained in any such gaol, house or houses of correction, or any part of any of them respectively; and all persons not coming within the class or description of prisoners who may lawfully be committed to or detained in such prison as shall be appointed by the justices for the confinement of one or more class or classes of prisoners, may be removed to the gaol or house of correction of the county, riding, or division, and every such gaol or house of correction, shall be deemed the legal gaol, prison, or place of confinement of every person respectively committed to the same in pursuance of such order as aforesaid; any thing in any act or acts, or any law, custom, or usage to the contrary notwithstanding: provided, that no classification of prisoners shall be made in any house of correction appropriated to the reception of any particular class or classes of prisoners, which shall be in any way

inconsistent with or contrary to the classification directed by this act, 4 G. 4. c. 64. s. 4.

24. Where in any county, riding, or division of a county, or in any of the cities, towns, and places named in the said schedule (A.), any house of correction shall be part of the same building, or inclosed in the same boundary wall as, or shall be contiguous to, the common gaol, and shall be under the superintendence of the same keeper, and the same visiting justices, it shall be lawful for the justices of the peace of the county, division, city, town, or place, assembled at any general or quarter sessions, from time to time, with the consent of the sheriff of the county for the time being, signified in writing under his hand, to proceed to carry into effect the classification and separation directed by this act, in the whole of such united or contiguous building or buildings, instead of in each such house of correction and gaol, and to divide the whole of such building or united or contiguous buildings, into such number of compartments for the purpose of such separation and classification as would be required under the regulations of this act, if the same had been one distinct gaol or house of correction; and also at any general or quarter sessions from time to time, by their order or orders, and with such consent of the sheriff as aforesaid, to ascertain and declare what part or parts of the same building, or united or contiguous buildings, shall be considered as the gaol, and what part or parts thereof respectively shall be considered as the house of correction, and shall be appropriated to the confinement of particular classes and descriptions of prisoners, and to direct what classes and descriptions respectively shall be confined in each part or division of such building, or united or contiguous buildings; and all persons to be committed to or detained in the respective parts and divisions so to be ascertained and appropriated of any such building, or united or contiguous buildings, to them respectively applicable, shall be deemed and held to be in legal custody: provided, that prisoners for debt may be removed to and shall always be confined in the part or parts of such building, or united or contiguous buildings, which shall be so ascertained or be appropriated as and for the gaol of the county, division, city, town, or place; and such removal shall not be deemed or taken to be an escape, 4 G. 4. c. 64. s. 5.

25. Whereas by stat. 4 G. 4. c. 64. it is required, that when the gaol and house of correction are inclosed within the same boundary-wall, it shall be ascertained and declared what part or parts shall be considered as the gaol, and what as the house of correction: be it enacted, That notwithstanding any thing in the said act contained, it may be lawful for the justices, in their general or quarter sessions, to declare in any such case that such parts of the buildings, as shall be appropriated for the chapel, and for the sick wards or infirmaries, shall be common both to the gaol and to the house of correction, and that in that case a double set of wards shall not be necessary, 5 G. 4. c. 85. s. 14.

26. Nothing in the said recited act or in this act contained shall oblige any city, town, borough, port, or liberty, to provide in its gaol or house of correction accommodation for any class of prisoners who could not be lawfully committed to such prison before the passing of the said recited act; and that nothing in the said recited act or this act contained shall alter or affect the liability of any bodies politic or corporate, or of the inhabitants of any parish, township, or place, or of any individuals bound by statute, tenure, custom, prescription, or usage, to repair or to contribute towards the repair of any prison, or to maintain or contribute towards the maintenance of the prisoners confined in any prison, or to pay or contribute towards the payment of any expences whatever connected with any prison, but that all such parties shall remain liable to all such charges as if the said recited act and this act had not been made, 5 G. 4. c. 85. s. 15.

27. Provided, that all persons who in pursuance of any such order shall be removed to, committed to, or detained in the part of such united or contiguous buildings which shall be so declared and ascertained to be the gaol, shall from henceforth be deemed to be in the legal custody of the sheriff and of the gaoler appointed by the sheriff, in the same manner as if such persons had been committed to the common gaol before the passing of this act: provided also, that the sheriff shall not be answerable for the safe custody of any person who in pursuance of any such order shall from time to time be removed to, committed to, or detained in any part of such united or contiguous buildings, other than the part so declared to be the gaol, 4 G. 4. c. 64. s. 6.

28. Whereas the practice of committing vagrants to common gaols has been attended with much inconvenience to the classification of prisoners, and has prevented a uniformity of practice in the management of prisoners, it is enacted, That from and after the 1st Sept. 1824, in every county, riding, or division of a county in *Eng.* and *Wa.*, and in the several districts, cities, towns, or places to which this act shall extend, all idle and disorderly persons, rogues and vagabonds, incorrigible rogues, and other vagrants, shall be committed to some house of correction belonging to such county, riding, or division, district, city, town, or place respectively; and that such house of correction shall be deemed

the only legal place of commitment of any such person in pursuance of any conviction by lawful authority, 4 G. 4. c. 64. s. 7.

29. Provided, that in all cases where any person liable by law to be committed to the house of correction shall be apprehended within any district, city, town, or place mentioned in the schedule to this act annexed, and the inhabitants of any such district, city, town, or place are or shall be contributory to the support and maintenance of the house or houses of correction of the county, riding, or division, in which such district, city, town, or place is situate, it shall and may be lawful for the justices of the peace of such district, city, town, or place, to commit such person to the house of correction of the county, riding, or division in which such district, city, town, or place is situate; and every person so committed shall and may be received, detained, dealt with, and ordered to be set and kept to hard labour or other work, or conveyed and sent away or discharged, and be subject and liable to the same correction and punishment, to all intents and purposes, as if committed by any justice or justices of the peace of such county, riding, or division; and in such case it shall not be necessary or required that any other house of correction shall be built or maintained in or for such district, city, town, or place, and the inhabitants of such district, city, town, or place shall not be compelled or compellable to the payment of any rate or sum of money whatever for the building or maintaining of any other house of correction in or for such district, city, town, or place, 4 G. 4. c. 64. s. 8.

30. Provided, that nothing in this act shall extend to take away, lessen, vary, alter, or affect any right, privilege, or franchise, which before this act any mayor, bailiff, or justice of the peace, for the time being, of any city, town, or liberty, having a separate jurisdiction, had by means of any grant, charter, or special or local act of parliament, to commit prisoners to the gaol or house of correction of any county, riding, or division, 4 G. 4. c. 64. s. 9.

31. Whereas it is fit and proper to secure an uniformity of practice in the management of the several prisons to which this act shall extend, be it therefore enacted, That the following rules and regulations shall be observed and carried into effect in every such prison in *Eng.* and *Wa.*, which shall be maintained by any county or riding, or division of a county as aforesaid, as a gaol or house of correction, and in the gaol and house of correction of every district, city, town, or place mentioned in the schedule (A.) and in every united and contiguous gaol and house of correction which shall be jointly used in manner aforesaid for the purposes of this act, and in every prison authorized to be continued under this act as aforesaid, in any county or riding, or division of a county, so far as such rules may be applicable or can be applied to the particular description or class of prisoners confined in such prison:

- I. The keeper of every such prison shall reside therein; he shall not be an under-sheriff or bailiff, nor shall be concerned in any occupation or trade whatsoever; no keeper or officer of a prison shall sell, nor shall any person in trust for him or employed by him sell, or have any benefit or advantage from the sale of any article to any prisoner, nor shall he directly or indirectly, have any interest in any contract or agreement for the supply of the prison.
- II. A matron shall be appointed in every prison in which female prisoners shall be confined, who shall reside in the prison; and it shall be the duty of the matron constantly to superintend the female prisoners.
- III. The keeper shall, as far as may be practicable, visit every ward, and see every prisoner, and inspect every cell once at least in every twenty-four hours; and when the keeper, or any other officer, shall visit the female prisoners, he shall be accompanied by the matron, or in case of her unavoidable absence, by some female officer of the prison.
- IV. The keeper shall keep a journal, in which he shall record all punishments inflicted by his authority, or by that of the visiting justices, and the day when such punishments shall have taken place, and all other occurrences of importance within the prison, in such manner as shall be directed by the regulations to be made under this act; which journal shall be laid before the justices at every general or quarter sessions, to be signed by the chairman, in proof of the same having been there produced.
- V. Due provision shall be made in every prison for the enforcement of hard labour in the cases of such prisoners as may be sentenced thereto, and for the employment of other prisoners. The means of hard labour shall be provided, and the materials requisite for the employment of prisoners shall be purchased, under such regulations as may be made for that purpose by the justices in general or quarter sessions assembled. If the work to be performed by the prisoners be of such a nature as to require previous instruction, proper persons shall be appointed to afford the same.
- VI. The male and female prisoners shall be confined in separate buildings or parts of the prison, so as to prevent them from seeing, conversing, or holding any intercourse with each other; and the prisoners

of each sex shall be divided into distinct classes, care being taken that prisoners of the following classes do not intermix with each other:

In Gaols.

- 1st. Debtors and persons confined for contempt of court on civil process.
- 2nd. Prisoners convicted of felony.
- 3d. Prisoners convicted of misdemeanors.
- 4th. Prisoners committed on charge or suspicion of felony.
- 5th. Prisoners committed on charge or suspicion of misdemeanors or for want of sureties.

In the Houses of Correction.

- 1st. Prisoners convicted of felony.
- 2nd. Prisoners convicted of misdemeanors.
- 3d. Prisoners committed on charge or suspicion of felony.
- 4th. Prisoners committed on charge or suspicion of misdemeanors.
- 5th. Vagrants.

Such prisoners as are intended to be examined as witnesses in behalf of the crown in any prosecution shall also be kept separate in all gaols and houses of correction: Provided always, that nothing herein contained shall be construed to extend to prevent the justices from authorizing, at their discretion, the employment of any prisoner in the performance of any menial office within the prison, or for the purpose of instructing others; and provided also, that if the keeper shall at any time deem it improper or inexpedient for a prisoner to associate with the other prisoners of the class to which he or she may belong, it shall be lawful for him to confine such prisoner with any other class or description of prisoners, or in any other part of the prison, until he can receive the directions of a visiting justice thereon, to whom he shall apply with as little delay as possible, and who in every such instance shall ascertain whether the reasons assigned by the keeper warrant such deviation from the established rules, and shall give such orders in writing as he shall think fit, under the circumstances of the particular case.

- VII. Female prisoners shall in all cases be attended by female officers.
- VIII. Every prisoner sentenced to hard labour shall, unless prevented by sickness, be employed so many hours in every day, not exceeding ten, exclusive of the time allowed for meals, as shall be directed by the rules and regulations to be made under this act, except on *Sundays*, *Christmas Day*, and *Good Friday*, and on any days appointed by public authority for fasting or thanksgiving.
- IX. Prayers, to be selected from the liturgy of the church of *Eng.* by the chaplain, shall be read at least every morning, by the chaplain, the keeper, or by some other person, as by the rules and regulations shall be directed; and portions of the Scriptures shall be read to the prisoners, when assembled for instruction, by the chaplain, or by such person as he may appoint or authorize.
- X. Provision shall be made in all prisons for the instruction of prisoners of both sexes in reading and writing, and that instruction shall be afforded under such rules and regulations, and to such extent, and to such prisoners, as to the visiting justices may seem expedient.
- XI. Prisoners under charge or conviction of any crime shall attend divine service on *Sundays*, and on other days when such service is performed, unless prevented by illness or by other reasonable cause, to be allowed by the keeper, or unless their attendance shall be dispensed with by one of the visiting justices.
- XII. No prisoner shall be put in irons by the keeper of any prison except in case of urgent and absolute necessity; and the particulars of every such case shall be forthwith entered in the keeper's journal, and notice forthwith given thereof to one of the visiting justices; and the keeper shall not continue the use of irons on any prisoner longer than four days, without an order in writing from a visiting justice, specifying the cause thereof; which order shall be preserved by the keeper, as his warrant for the same.
- XIII. Every prisoner maintained at the expence of any county, riding, division, city, town, or place, shall be allowed a sufficient quantity of plain and wholesome food, to be regulated by the justices in general or quarter sessions assembled, regard being had (so far as may relate to convicted prisoners) to the nature of the labour required from or performed by such prisoners, so that the allowance of food may be duly apportioned thereto. And it shall be lawful for the justices to order for such prisoners of every description, as are not able to work, or being able cannot procure employment sufficient to sustain themselves by their industry, or who may not be otherwise provided for, such allowance of food as the said justices shall from time to time think necessary for the support of health. Prisoners under the care of the surgeon shall be allowed such diet as he may direct. Care shall be taken that all provisions supplied to the prisoners be of proper quality and weight. Scales and legal weights and measures shall be provided,

open to the use of any prisoners, under such restrictions as shall be made by the regulations of each prison.

XIV. Prisoners who shall not receive any allowance from the county, whether confined for debt or before trial, for any supposed crime or offence, shall be allowed to procure for themselves, and to receive at proper hours, any food, bedding, clothing, or other necessities, subject to a strict examination, and under such limitations and restrictions, to be prescribed by the regulations to be made in manner directed by this act, as may be reasonable and expedient, to prevent extravagance and luxury within the walls of a prison; all articles of clothing and bedding shall be examined, in order that it may be ascertained that such articles are not likely to communicate infection or facilitate escape.

XV. No prisoner who is confined under the sentence of any court, nor any prisoners confined in pursuance of any conviction before a justice, shall receive any food, clothing, or necessities, other than the gaol allowance, except under such regulations and restrictions as to the justices in general or quarter sessions assembled may appear expedient with reference to the several classes of prisoners, or under special circumstances, to be judged of by one or more of the visiting justices.

XVI. Due provision shall be made for the admission, at proper times, and under proper restrictions, of persons with whom prisoners committed for trial may desire to communicate; and such rules and regulations shall be made, by the justices in general quarter sessions assembled, for the admission of the friends of convicted prisoners as to such justices may seem expedient; and the justices shall also impose such restrictions upon the communication and correspondence of all such prisoners with their friends, either within or without the walls of the prison, as they shall judge necessary for the maintenance of good order and discipline in such prison.

XVII. The surgeon shall examine every prisoner who shall be brought into the prison, before he or she shall be passed into the proper ward; and no prisoner shall be discharged from prison if labouring under any acute or dangerous distemper, nor until in the opinion of the surgeon, such discharge is safe, unless such prisoner shall require to be discharged. The wearing apparel of every prisoner shall be fumigated and purified, if requisite, after which the same shall be returned to him or her, or in case of the insufficiency of such clothing, then other sufficient clothing shall be furnished, according to the rules and regulations of the prison; but no prisoner before trial shall be compelled to wear a prison dress, unless his or her own clothes be deemed insufficient or improper, or necessary to be preserved for the purposes of justice; and no prisoner who has not been convicted of felony shall be liable to be clothed in a party-coloured dress; but if it be deemed expedient to have a prison dress for prisoners not convicted of felony, the same shall be plain.

XVIII. Every prisoner shall be provided with suitable bedding; and every male prisoner with a separate bed, hammock, or cot, either in a separate cell, or in a cell with not less than two other male prisoners.

XIX. The walls and ceilings of the wards, cells, rooms, and passages used by the prisoners throughout every prison, shall be scraped and lime-washed at least once in the year; the day-rooms, work-rooms, passages, and sleeping cells shall be washed or cleansed once a week, or oftener if requisite. Convenient places for the prisoners to wash themselves shall be provided, with an adequate allowance of soap, towels, and combs.

XX. All prisoners shall be allowed as much air and exercise as may be deemed proper for the preservation of their health.

XXI. No tap shall be kept in any prison; nor shall spirituous liquors of any kind be admitted for the use of any of the prisoners therein, under any pretence whatever, unless by a written order of the surgeon, specifying the quantity, and for whose use. No wine, beer, cider, or other fermented liquors, shall be admitted for the use of any prisoners, except in such quantities, in such manner, and at such times as shall be allowed by the rules hereafter to be made in pursuance of this act.

XXII. No gaming shall be permitted in any prison; and the keeper shall seize and destroy all dice, cards, or other instruments of gaming.

XXIII. No money under the name of garnish shall be taken from any prisoner on his or her entrance into the prison, under any pretence whatever.

XXIV. Upon the death of a prisoner, notice thereof shall be given by the keeper forthwith to one of the visiting justices, as well as to the coroner of the district, and to the nearest relative of the deceased, where practicable, 4 G. 4. c. 64. s. 10.

32. In case the coroner shall hold an inquest on the body of any prisoner who shall have died within the prison, none of the prisoners confined in that prison shall be a juror on such inquest, 4 G. 4. c. 64. s. 11.

33. It shall be lawful for the court of mayor and aldermen of the city of *London*, so far as respects the prisons within the said city and liberties thereof, and for five justices of the peace in general or quarter sessions assembled, of each county, riding, or division of a county, or of any district, city, town, or place to which this act shall extend, so far as respects the prisons within their respective jurisdictions, to make such further and additional rules for the government of such prisons respectively, and for the duties to be performed by the officers of the same, as to them may seem expedient; provided, that no such further or additional rules shall be enforced, until the same shall have been submitted in *London* and *Middlesex*, to the two chief justices, and elsewhere to the justices of gaol delivery or of great sessions respectively, at some gaol delivery or great sessions to be held after the making such rules, and until such chief justice or justices of gaol delivery or of great sessions respectively shall have subscribed a certificate or declaration that they do not see any thing contrary to law therein; provided, that all such rules and regulations shall be consistent with and conformable to the rules and regulations in this act contained: and the justices in general or quarter sessions assembled shall and they are hereby required from time to time to cause copies of so much of the rules of each prison as relates to the treatment and conduct of prisoners confined therein, to be printed in legible characters, and to be fixed up in conspicuous parts of every prison, so that every prisoner may be enabled to have access thereto; and all rules and regulations made and approved pursuant to the directions of this act shall be binding upon the sheriff and upon all other persons; provided, that no such rules shall be so construed as to interfere with the right or duty of the sheriff to appoint or remove any keeper of a county gaol, or other prison subject to the authority of such sheriff, 4 G. 4. c. 64. s. 12.

34. Provided, that all the powers and authorities given by this act to justices of the peace in general or quarter sessions assembled, in the several counties, and all other acts to be done and performed by justices of the peace at any sessions in pursuance of this act, shall be exercised and performed, so far as regards the prisons in the city of *London* and liberties thereof, by the court of mayor and aldermen of the said city, as heretofore has been accustomed, and not by the said mayor and aldermen as magistrates at the general or quarter sessions of the peace to be holden in and for the said city: any thing in this act contained to the contrary thereof in anywise notwithstanding, 4 G. 4. c. 64. s. 13.

35. The gaoler and keeper of every gaol and house of correction, maintained at the expence of any county, or of any such riding or division of a county as aforesaid, in *Eng.* and *W.*, or maintained by any district, city, town, or place specified in the schedule to this act annexed marked (A.), shall make a report in writing of the actual state and condition of every such gaol and house of correction, and of the number and description of prisoners confined therein, to the justices at the several general or quarter sessions to be holden next after the commencement of this act, and at every ensuing general or quarter sessions in every such county, riding, division, district, city, town, or place, and shall at every such general or quarter sessions, attend and give answer upon oath, to all such inquiries as shall be made by the justices at such sessions, with respect to the state and condition of every such gaol and house of correction, and of the prisoners confined therein, and with respect to any other matters and things relating to the said gaol and house of correction, respecting which such justices shall deem it necessary to make any inquiry for the purpose of proceeding and continuing to carry this act into execution, and of ascertaining how far every such gaol and house of correction is capable of affording the means of the classification required by this act, 4 G. 4. c. 64. s. 14.

36. The chairman of the *Michaelmas* quarter sessions of the peace, which shall be held next after the commencement of this act, for every county, riding, division, district, city, town, or place to which this act shall extend, shall transmit within fourteen days after the termination of such session, to one of H. M.'s principal secretaries of state, a true and correct account of their proceedings at such sessions for carrying this act into effect, and also a copy of all such rules and regulations as shall be then in force for the government of every prison within the jurisdiction of the justices assembled at such sessions, and shall also transmit at the same time, or within three months afterwards, to such secretary of state, plans of all such prisons, drawn upon a scale of one-sixteenth of an inch to a foot; and the said copies and plans shall be carefully preserved in the office of such secretary of state; and the chairman of every succeeding *Michaelmas* quarter sessions shall transmit within fourteen days after the termination of such *Michaelmas* quarter sessions, a true and correct copy of all such additions to such rules and regulations, or alterations made therein, as shall have been duly sanctioned, since the preceding *Michaelmas* quarter sessions, together with plans, on the scale above mentioned, of any additions to the buildings of such prison, or alterations made in the construction thereof, during the same period, 4 G. 4. c. 64. s. 15.

37. That the chairman of the *Michaelmas* quarter sessions of the

peace which shall be held next after the commencement of this act, for every county, riding, division, district, city, town, or place to which the said recited act shall extend, shall transmit with fourteen days after the commencement of such sessions, to one of H. M.'s secretaries of state, a true and correct statement of the establishment of officers and servants employed in every prison within the jurisdiction of the justices assembled at such sessions, specifying the number and description of such officers and servants, the salaries and emoluments of each, and by whom such officers and servants are respectively appointed; and the said statements shall be carefully preserved in the office of such secretary of state; and the chairman of every such succeeding quarter sessions shall transmit, within fourteen days after the termination of such *Michaelmas* quarter sessions, a true and correct statement of any increase or diminution in every such establishment of officers and servants, or in their respective salaries or emoluments, as have been made since the preceding *Michaelmas* quarter sessions, 5 G. 4. c. 85. s. 8.

38. The justices in every county, riding, division, district, city, town, or place, to which this act shall extend, at the general or quarter sessions next after the commencement of this act, and at every ensuing general or quarter sessions, shall and they are hereby required to nominate two or more justices who shall consent thereto, to be visitors of each gaol and house of correction within their jurisdiction, and to report the names and places of abode of such visiting justices to one of H. M.'s principal secretaries of state; and one or more of the visiting justices so appointed shall personally visit and inspect each prison at least three times in each quarter of a year, and oftener if occasion shall require, and shall examine into the state of the buildings, so as to form a judgment as to the repairs, additions, or alterations which may appear necessary, strict regard being had to the classification, inspection, instruction, employment, or hard labour, required by this act, and shall further examine into the behaviour and conduct of the respective officers, and the treatment, behaviour, and condition of the prisoners, the means of setting them to work, the amount of their earnings, and the expences attending the prison, and of all abuses within the same, and in matters of pressing necessity, and within the powers of their commission as justices, shall take cognizance thereof, and proceed to regulate and redress the same; and if the said visitors shall at any time observe, or be satisfactorily informed of any extraordinary diligence or merit in any prisoners under their inspection, they shall report the same to the justices of peace for the county, riding, division, district, city, town, or place, at their next or any subsequent general or quarter session to be holden for the county or place in which such prison is situate, in order that such justices may, if they shall think proper, recommend any such offender to the royal mercy, in such degree or upon such terms as to them shall seem meet: and if H. M. shall be thereupon graciously pleased to shorten the duration of such prisoner's confinement, such prisoner shall, upon his or her discharge, together with necessary clothing, receive such sum of money for his or her subsistence, as the visiting justices for the time being shall think proper, so as such sum shall not exceed twenty shillings, nor be less than five shillings, in case such offender shall have been confined for the space of one year, and so in proportion for any shorter term of confinement; and such sum of money, and also the expence of such clothing, shall be paid out of the county rate or other rate applicable to the expences of such prisons, 4 G. 4. c. 64. s. 16.

39. Provided, that it shall be lawful for any justice of the peace for any county, riding, or division, district, city, town, or place, at his own free will and pleasure, and without being appointed a visitor, to enter into and examine any prison of such county, riding, division, district, city, town, or place at such time or times and so often as he shall see fit; and if he shall discover any abuse or abuses therein, he is hereby required to report them in writing at the next general or quarter sessions of the peace or adjourned sessions, which shall be holden for such county, riding, or division, district, city, town or place; and then and so often as a report of any abuse or abuses in any such prison shall be made by the visiting justices, or either of them, or by any other justice of the peace for such county, riding, or division, district, city, town, or place, the abuse or abuses so reported shall be taken into immediate consideration by the justices of the peace for such county, riding, or division, district, city, town, or place, at the general or quarter sessions at which such report shall be made; and they are hereby required to adopt the most effectual measures for inquiring into and rectifying such abuse or abuses as soon as the nature of the case will allow, 4 G. 4. c. 64. s. 17.

40. Provided, that nothing herein contained shall extend to authorize or empower any visiting or other justice of the peace, to converse or hold any intercourse or communication, except as herein-after mentioned, with any person who may be committed by lawful authority to any such gaol or prison, there to be kept in safe and close confinement; but nevertheless, it shall be lawful for any visiting justice so appointed

as aforesaid, to visit and inspect at all times when he shall think proper, the apartment or place in which such person shall be kept, and also to see such person, and to hear or receive any representation from him or her as to his or her treatment in such prison, and to inquire and examine into the same, 4 G. 4. c. 64. s. 18.

41. The keeper of every gaol and house of correction to which this act shall extend shall, previously to the first day of every assizes, great sessions, or sessions of gaol delivery, make out a true and just return in writing of all persons in his custody who have been sentenced to hard labour by the court, at any previous assizes, great sessions, or sessions of gaol delivery, specifying in such return the manner in which such sentences have been carried into execution, the particular species of labour in which such prisoners have been employed, and the average number of hours in a day for which such persons so sentenced have been kept to work; which return shall be signed by such keeper, and also by one at least of the visiting justices, who shall add thereto such observations as the case may appear to him to require; and such return shall be delivered to the justice of assize and gaol delivery, and of great sessions, and filed amongst the records of the court, 4 G. 4. c. 64. s. 19.

42. The keeper of every prison within *Eng. and Wa.*, having the custody of prisoners charged with felony, shall, on the second day next after the termination of every session of the peace, session of oyer and terminer, or session of gaol delivery, great session, or other session held for the trial of prisoners being in such prison, whether such session shall be held under any commission, or by virtue of any charter or prescription, transmit by the post of that day to one of H. M.'s principal secretaries of state, a calendar containing the names, the crimes, and the sentences of every prisoner tried at such session, and distinguishing, with respect to all prisoners capitally convicted, such of them as may have been reprieved by the court, and stating the day on which execution is to be done upon those who have not been reprieved; and whenever the court shall adjourn for any longer time than one week, the day upon which the adjournment shall be made shall be deemed the termination of the session within the meaning of this act; and every keeper of any such prison, who shall neglect or refuse to transmit such calendar, or shall wilfully transmit a calendar containing any false or imperfect statement, shall forfeit twenty pounds, 4 G. 4. c. 64. s. 20.

43. And for the better ensuring the strict observance of the rules and regulations to be made for the government of the prison to which this act shall extend; be it enacted, That at each quarter sessions of the peace, the keeper of every prison within the jurisdiction of the court holding such session shall, and is hereby required to deliver or cause to be delivered to such court, a certificate, signed by himself, which certificate shall contain a declaration how far the rules laid down for the government of his prison have been complied with, and shall point out any and every deviation therefrom which may have taken place; and if any keeper of a prison shall neglect to deliver, or cause to be delivered, such certificate as aforesaid, he shall forfeit for every such offence the sum of ten pounds, 4 G. 4. c. 64. s. 21.

44. One week before the *Michaelmas* session in every year, the keeper of every prison to which this act shall extend, shall make up a return of the state of his prison for the year then ending, in the form contained in the schedule annexed to this act, marked (B.), and shall deliver the same, or cause the same to be delivered, to the clerk of the peace or his deputy, for the use of the justices assembled at such quarter sessions, 4 G. 4. c. 64. s. 22.

45. And at every general or quarter sessions, the visiting justices shall make a report in writing of the state and condition of each prison within their jurisdiction, of what repairs, additions, or alterations shall have been made or may be required, and of any abuse or abuses which they may have observed, or of which they may have received information, in the management of the prison, as well as of the general state of the prisoners as to morals, discipline, employment, and hard labour, and observance of rules; and the justices assembled at such sessions shall proceed to consider every such report, and to act forthwith as they see occasion, 4 G. 4. c. 64. s. 23.

46. A general report, founded on the report of the visiting justices, on the report of the chaplain or chaplains, and on the certificates of the keepers of the several prisons, shall be prepared by the clerk of the peace, and submitted to the justices assembled at every *Michaelmas* quarter sessions; and when approved by the justices of such sessions, such report shall be signed by the chairman of such sessions, and shall be by him transmitted (together with a copy of the schedule (B.) delivered by the gaoler) to one of H. M.'s principal secretaries of state; a copy of which report, with the said schedule attached to it, shall be laid before both houses of parliament, within one month next ensuing, if parliament shall be sitting, or within one month after the time when parliament shall next sit, 4 G. 4. c. 64. s. 24.

47. It shall be lawful for the justices assembled at the general or quarter sessions, and they are hereby empowered and required, to nomi-

nate and appoint such keepers, matrons, taskmasters, schoolmasters, and other officers, as to them may seem expedient, for every prison within their jurisdiction to which this act shall extend, except the keeper of the common gaol; and to remove, as occasion may require, all officers so by them nominated and appointed: provided, that no woman shall be keeper of any prison in which male prisoners are confined, 4 G. 4. c. 64. s. 25.

48. It shall and may be lawful for the justices assembled at the general or quarter sessions, and they are hereby empowered, to fix salaries and allowances, to such amount, and subject to such conditions as to them shall seem meet, for the keeper of the common gaol, and for every keeper, matron, taskmaster, schoolmaster, and officer of each gaol and house of correction within their jurisdiction; and to order such salaries, and the expence of such allowances, to be paid out of the rate lawfully applicable thereto; and the salaries and allowances so fixed, to alter, reduce, augment, suspend, or stop from time to time, as occasion shall require: and in case any gaoler or keeper of any prison shall, from confirmed sickness, age, or infirmity, become incapable of executing the office in person, the justices of the peace at any general or quarter sessions of the county, riding, division, district, city, town, or place respectively, shall take the circumstances of the case into their consideration; and if such justices shall deem it expedient, they are hereby empowered to grant to such gaoler or keeper such an annuity as they in their discretion shall think proportioned to the merits and time of his service, and may order the payment thereof out of the rates lawfully applicable to the building or repairing of such gaols and prisons: provided, that the annual amount paid by way of superannuation or allowance to any retired keeper of any prison, shall not exceed the amount of two-thirds of the salary fixed for the succeeding keeper of such prison, 4 G. 4. c. 64. s. 26.

49. Whenever the keeper or any other officer of any common gaol or other prison to which this act shall extend, shall be removed from or resign his or her office, or shall depart this life, every keeper or other officer so removed or resigning, and his or her family, and the family of every such deceased keeper or other officer, shall forthwith quit the possession of the house or apartments in which he, she, or they shall have previously resided, by virtue of such office; and that if any keeper or other officer so removed or resigning, or any members of the family of any keeper or other officer so removed, resigning, or departing this life, shall refuse or neglect to quit such possession for forty-eight hours after notice given to him, her, or them, in writing, by the under-sheriff, or other officer appointed by the sheriff, in case the house or apartments of which possession shall be required shall be in the common gaol, and by the clerk of the peace in case such house or apartments shall be in any house of correction, any two justices, upon proof made before them of such removal, resignation, or death, and of the service of such notice, and of such neglect or refusal to comply therewith, may, by warrant under their hands and seals, direct the sheriff of the county, or other officer having the return of the writs, to eject such keeper, or the family of such keeper, out of such house or apartments, and the sheriff or such other officer shall accordingly clear the possession thereof in like manner as upon a writ of *habere facias possessionem*, 4 G. 4. c. 64. s. 27.

50. The justices assembled in general or quarter sessions shall and they are hereby required from time to time to nominate for each prison within their jurisdiction, to which this act shall extend, a clergyman of the church of *Eng.* to be chaplain thereof; and the said justices may, if it seem to them expedient, nominate the same clergyman to be and officiate as chaplain to any two prisons situate within a convenient distance from each other; and the said justices are hereby authorized to appoint a salary to be paid to the clergyman so nominated chaplain as aforesaid, out of the county rate, or rate lawfully applicable to the maintenance of such prisons; and the amount of salary shall be regulated in the following manner; viz. where the chaplain shall be appointed to one prison only, and the number of prisoners, including debtors, which the said prison is calculated to receive, does not exceed fifty, then the salary to be paid to him shall not be more than one hundred and fifty pounds; where the chaplain shall be appointed to one prison only, and the number of prisoners, including debtors, which the said prison is calculated to receive, does not exceed one hundred, then the salary shall not be more than two hundred pounds; where the chaplain shall be appointed to one prison only, calculated to contain more than one hundred prisoners, including debtors, the salary shall not be more than two hundred and fifty pounds; and where the chaplain shall be appointed to one prison only, calculated to contain more than two hundred, or where the chaplain shall be appointed to two prisons, whatever the number of prisoners such two prisons may be calculated to contain, it shall be lawful for the justices to appoint the salary at their discretion, with reference to the duties to be performed: provided, that when any two or more prisons shall be under the custody of one and the same

keeper, they shall be considered as one prison, with reference to the duties and salary of the chaplain: provided also, that in case of sickness or necessary engagement, the chaplain shall appoint a clergyman to be his substitute for the occasion, such substitute being approved of by the visiting justices; and the name and residence of such substitute shall be specified in the chaplain's journal, 4 G. 4. c. 64. s. 28.

51. No clergyman so nominated shall officiate in any prison until he shall have obtained a licence for that purpose from the bishop of the diocese wherein the prison is situate, nor for any longer time than while such licence shall continue in force; and notice of every such nomination shall, within one month after it shall take place, be transmitted to the bishop by the clerk of the peace or town-clerk, 4 G. 4. c. 64. s. 29.

52. Every such chaplain shall on every *Sunday*, and on *Christmas-day*, and *Good Friday*, perform the appointed morning and evening services of the church of *Eng.*, and preach at such time or times between the hours of nine and five of the day, as shall be required by the rules and regulations to be made as directed by this act; and shall catechise or instruct such prisoners as may be willing to receive instruction; and shall likewise visit the prison on such other days, and perform such other duties as shall be required by the rules and regulations to be made as directed by this act; and shall administer the holy sacrament of the Lord's Supper to such prisoners as shall be desirous, and as such chaplain may deem to be in a proper frame of mind to receive the same; and such chaplain shall also frequently visit every room and cell in the prison occupied by prisoners, and shall direct such books to be distributed and read, and such lessons to be taught in such prison, as he may deem proper for the religious and moral instruction of the prisoners therein; and he shall visit those who are in solitary confinement; and it shall be his particular duty to afford his spiritual assistance to all persons under warrant or order for execution; and he shall have free access to all persons convicted of murder, any law, statute, or usage to the contrary notwithstanding; except to such persons as shall be of a religious persuasion different from that of the established church, who shall have made a request that a minister of such persuasion shall be allowed to visit them; and every such chaplain shall communicate from time to time to the visiting justices any abuse or impropriety which may have come to his knowledge; and he shall further keep a journal, in which he shall enter the times of his attendance on the performance of his duty, with any observations which may occur to him in the execution thereof, and such journal shall be kept in the prison, but shall regularly be laid before the justices for their inspection at every quarter sessions, and shall be signed by the chairman of the sessions, in proof of the same having been there produced; and if it shall appear to the justices in general or quarter sessions assembled, that any chaplain is incompetent to the due performance of his duties, or is unfit to be continued in his office, or shall have refused or wilfully neglected to perform the duties required of him by the rules and regulations to be made as directed by this act, they are hereby empowered to remove him from such office, 4 G. 4. c. 4. s. 30.

53. If any prisoner shall be of a religious persuasion differing from that of the established church, a minister of such persuasion, at the special request of such prisoner, shall be allowed to visit him or her at proper and reasonable times, under such restrictions imposed by the visiting justices as shall guard against the introduction of improper persons, and as shall prevent improper communications, 4 G. 4. c. 64. s. 31.

54. In case any chaplain shall from confirmed sickness, age, or infirmity, become incapable of executing the office in person, the justices of the peace, at any general or quarter sessions of the county, riding, division, district, city, town, or place respectively, shall take the circumstances of the case into their consideration; and if such justices shall deem it expedient, they are hereby empowered to grant to such chaplain such annuity as they in their discretion shall think proportionate to the merits and time of his services, and may order the payment out of the rates lawfully applicable to the building and repairing such gaols and prisons: provided, that the amount so paid by way of superannuation or allowance to any retired chaplain of any one prison, shall not exceed the amount of two-thirds of the salary fixed for the succeeding chaplain of such prison, 4 G. 4. c. 64. s. 32.

55. The justices in general or quarter sessions shall and they are hereby required from time to time to appoint a surgeon, being a member of one of the royal colleges of surgeons, to each of the prisons within their jurisdiction to which this act shall extend; and every such surgeon shall and he is hereby required to visit every prison to which he shall be so appointed, twice at least in every week, and oftener if necessary, and see every prisoner confined therein, whether criminal or debtor, and to report to every general or quarter sessions the condition of the prison, and the state of health of the prisoners under his care; and he shall further keep a journal, in which he shall enter the date of every attendance in the performance of his duty, with any observations

which may occur to him in execution thereof, and shall sign the same with his name; and such journal shall be kept in the prison, but shall regularly be laid before the justices for their inspection at every quarter sessions, and shall be signed by the chairman of the sessions in proof of the same having been there produced; and it shall be lawful for the justices, at every general or quarter sessions after such appointment, to direct a reasonable sum to be paid as salary to such surgeon, and also such sums as shall be due for medicines, and other articles for the sick, 4 G. 4. c. 64. s. 33.

56. From and after the commencement of this act there shall be kept in every prison to which this act shall extend, a book, in which the chaplain and every other officer of the said prisons, not residing within such prisons, but attending on or required to attend on such prison, shall regularly insert the date of every visit made by such chaplain or other officer respectively; and every such entry shall be signed with the name and in the proper handwriting of such chaplain or officer respectively, and shall contain such remarks as may be thought necessary on the occasion of any such visit; and every keeper of every such prison shall be responsible for the safe custody of such book, whole, unmutated and unaltered, and shall, at all times when required, produce such book for inspection to the justices at every general or quarter sessions, and to the visiting justices, or to any justice of the peace for the county, riding, division, district, city, town, or place, wherein such prison shall be situate; and the chaplain shall, on every *Michaelmas* quarter sessions, deliver to the justices a statement of the condition of the prisoners and his observations thereupon, 4 G. 4. c. 64. s. 34.

57. Whereas provision is made in this act for supplying poor prisoners with food and clothing: and whereas bequests have been made, and benefactions have been given, for supplying such poor criminal prisoners with these necessaries: it is enacted, That it shall be lawful for the justices in general or quarter sessions assembled, to apply such bequests or benefactions for the benefit of such poor prisoners, either by providing them with the implements of labour, or with the means of returning to their own homes, or in such manner as to the magistrates may appear expedient, 4 G. 4. c. 64. s. 35.

58. The chief justices of the courts of K. B. and C. P. and the chief baron of the court of exchequer, or any one of them, together with the lord mayor and two of the aldermen, or with three of the aldermen of the city of *London*, for and in respect of the gaols and prisons within the city of *London* and the liberties thereof, and the said chief justices or chief baron, or any one of them, with three justices of the peace of the counties of *Middlesex* and *Surrey* respectively, for and in respect of the gaols and prisons in the counties of *Middlesex* and *Surrey*, and the justices of gaol delivery and great sessions, and the justices of peace of every other county, riding, and division of a county, at any general or quarter session of the peace to be holden for such county, riding, or division respectively, in their respective jurisdictions, and all commissioners for charitable uses, shall do their best endeavours and diligence to examine and discover the several gifts, legacies, and bequests bestowed and given for the benefit and advantages of the poor prisoners in the several gaols and prisons to which this act shall extend, and to send for any deeds, wills, writings, and books of account whatsoever, and any persons concerned therein, and to examine them upon oath to make true discovery thereof (and which such chief justices, chief barons, justices of gaol delivery and great sessions, mayor, aldermen, and justices of the peace, have hereby full power and authority to do), and to order and settle the payment, recovery, and receipt of all such gifts, legacies, and bequests, when so discovered and ascertained, in such easy and expeditious manner, that the prisoners for the future may not be defrauded, but receive the full benefit thereof, according to the true intent of the donors, or the provisions of this act; and that lists or tables of such gifts, legacies, and bequests, for the benefit of the prisoners in every gaol or prison respectively, fairly written, shall be registered by the clerks of the peace of the respective counties and places in the rolls of their respective sessions, without fee or reward, and copies thereof shall be hung up in such gaols and prisons respectively, in some open room or place to which the prisoners may have resort as occasion shall require, 4 G. 4. c. 64. s. 36.

59. Whereas persons are often committed to prison for trial, who are willing to be employed in such work or labour as can be conveniently executed or done in the prison to which they are so committed, and it is fit that such persons should be so employed rather than that they should be obliged to remain idle during their confinement; it is enacted, That it shall be lawful for any one or more visiting justice or justices of any prison to which this act shall extend, to authorize by an order in writing, the employment of any such prisoners with their own consent, in any such work or labour; and it shall be lawful for the keeper of such prison to employ such prisoner in such work or labour accordingly, and to pay to such prisoners any such wages or portion of the same, and at such periods, as shall be directed by such justice or justices; provided,

that it shall not be lawful to place together, on account of such employment, any prisoners who would otherwise be kept separate under the provisions of this act, 4 G. 4. c. 64. s. 37.

60. Whereas persons convicted of offences are frequently sentenced to imprisonment without being sentenced to hard labour; it is enacted, That it shall be lawful for two or more visiting justices of any prison to order that all such persons confined in such prison in pursuance of any sentence or conviction, except such prisoners as shall maintain themselves, shall be set to some work or labour not severe: and it is hereby declared, that no such prisoner, who shall be of ability to earn, and who shall have the means of earning or of otherwise providing for his own subsistence, shall have any claim to be supported at the expence of the county, riding, or division, or by the sheriff or the keeper of the prison; provided that when such ability shall cease by reason of sickness, infirmity, the want of sufficient work, or from any other cause, every such person shall, during the continuance of his inability, receive such provision and support as shall be directed for other convicted prisoners in the same prison; and the keeper of every such prison shall keep an account of the work done by every prisoner so set to work as aforesaid, and shall account to such prisoner for so much of the net profits which such prisoner shall have earned, or for such daily or other allowance for the work and labour done by such prisoner, as shall be directed either by the rules and regulations of such prison, or in case of no provision being made on this head by those rules and regulations, then for such part of the said net profits, or for such daily or other allowance as shall be directed by the visiting justices, and shall pay the amount of all accumulations of such allowance to such prisoner at his or her discharge, 4 G. 4. c. 64. s. 38.

61. Whereas by *stat.* 4 G. 4. c. 64. s. 38. it was made lawful for one or more visiting justice or justices of any prison to which the same extended, to authorize, by an order in writing, the employment of prisoners committed for trial, with their own consent, in any such work as therein specified, it is enacted, That such consent of every such prisoner shall be freely given, and shall not be extorted or obtained by deprivation or threat of deprivation of any prison or other allowance; and that no prisoner before conviction shall, under any pretence, be employed on the tread-wheel, either with or without his consent, 5 G. 4. c. 85. s. 16.

62. Whereas it has been doubted whether prisoners committed to prison for trial, who are unable to maintain themselves otherwise than by being employed in some kind of work or labour in prison, are entitled to receive any prison allowance of food without being required so to employ themselves; it is enacted, That such prisoners shall be allowed such food as may be sufficient for the support of health, without being obliged to perform any kind of work or labour as the condition of such allowance; and that any wages or portion of the same, which may become due to such prisoners from the keeper of any prison, in consequence of any order made by any visiting justice or justices of such prison, for the employment of such prisoners with their own consent, shall be paid to them as directed by such order, in addition to the food so allowed, and without any diminution of such allowance by reason of such payment, 5 G. 4. c. 85. s. 17.

63. It is enacted, That it shall be lawful to keep to hard labour every offender under sentence or order of transportation, while he or she shall remain in the common gaol, if his or her health shall permit, and if one or more of the visiting justices of such gaol shall give a written order to that effect; and that it shall be lawful for one of H. M.'s principal secretaries of state, if he shall think fit, to order that any such offender be removed from the common gaol to the house of correction, and there kept to hard labour, 5 G. 4. c. 84. s. 18.

64. The time during which any offender shall continue in any gaol or house of correction, or in any such place of confinement as aforesaid, under sentence or order of transportation or banishment, shall be taken and reckoned in discharge or part discharge of the term of his or her transportation or banishment, 5 G. 4. c. 84. s. 19.

65. Whereas it is desirable that prisoners discharged from prison should be supplied with the means of returning to their families, or to their place of settlement, or to some place of employment, where they may be engaged in a life of honest labour for their maintenance, and prevented from pursuing evil courses; it is enacted, That it shall be lawful for any one or more of the visiting justice or justices of any prison to which this act shall extend, from whence any prisoner shall be discharged, to direct that such moderate sum of money shall be given and paid to any and every such prisoner so discharged, who shall not have the means of returning to his or her family or place of settlement, or resorting to any place of employment or honest occupation, as in the judgment of such justice or justices shall be requisite and necessary for such purpose, under all the circumstances attending the case of any such prisoner; and that such sum of money shall be paid by the keeper of such prison to or for the use of such prisoner, for the purpose afore-

said; and that all such sums shall be provided for, either out of such bequests or benefactions as aforesaid, or in such manner as is by this act directed with respect to the expence of the support and maintenance of the prisoners in such prisons respectively, 4 G. 4. c. 64. s. 39.

66. If any person in contravention of the existing rules, shall carry or bring, or attempt or endeavour to carry or bring into any prison to which this act shall extend, any spirituous or fermented liquor, it shall be lawful for the gaoler, keeper, turnkey, or any other of the assistants to the said gaoler or keeper, to apprehend or cause to be apprehended such offender, and to carry him or her before a justice of the peace (who is hereby empowered to hear and determine such offence in a summary way), and if he shall lawfully convict such person of such offence, he shall forthwith commit such offender to the common gaol or house of correction, there to be kept in custody for any time not exceeding three months, without bail or mainprize, unless such offender shall immediately pay down such sum of money, not exceeding twenty pounds, and not less than ten pounds, as the justice shall impose upon such offender to be paid, one moiety to the informer, and the other moiety in aid of the rate applicable to the maintenance of such prison; and if any justice shall receive information upon oath, that any spirituous or fermented liquor is unlawfully kept or disposed of in any prison, he may enter and search, or issue his warrant to enter and search for such liquor; and in case it shall be found, it shall be lawful for the person so finding to seize the same, and cause it to be disposed of as the justice shall direct; and if any gaoler or keeper of any prison shall sell, use, lend, or give away, or knowingly permit or suffer to be sold, used, lent, or given away, in such prison, or brought into the same, any spirituous or fermented liquor, in contravention of the existing rules of such prison, he shall for every such offence, over and above any other punishment by this act enacted, forfeit the sum of twenty pounds, 4 G. 4. c. 64. s. 40.

67. The keeper of every prison shall have power to hear all complaints touching any of the following offences: that is to say,

- I. Disobedience of any of the rules of the prison.
- II. Assaults by one person confined in such prison upon another when no dangerous wound or bruise is given.
- III. Profane cursing and swearing.
- IV. Any indecent behaviour, and any irreverent behaviour at chapel, all of which are declared to be offences by this act, if committed by any description of prisoners.
- V. Absence from chapel without leave.
- VI. Idleness or negligence in work, or wilful mismanagement of it, which are also declared to be offences by this act, if committed by any prisoner under charge or conviction of any crime.

And the said keeper may examine any persons touching such offences, and may determine thereupon, and may punish all such offences by ordering any offender to close confinement in the refractory or solitary cells, and by keeping such offenders on bread and water only for any term not exceeding three days, 4 G. 4. c. 64. s. 41.

68. In case any criminal prisoner shall be guilty of any repeated offence against the rules of the prison, or shall be guilty of any greater offence than the gaoler or keeper is by this act empowered to punish, the said gaoler or keeper shall forthwith report the same to the visiting justices, or one of them for the time being; and any one such justice, or any other justice acting in and for the county, or riding or division of a county, or for the district, city, town, or place to which such prison belongs, shall have power to inquire upon oath, and to determine concerning any such matter so reported to him or them, and to order the offender to be punished by close confinement for any term not exceeding one month, or by personal correction in the case of prisoners convicted of felony, or sentenced to hard labour, 4 G. 4. c. 64. s. 42.

69. If any person shall convey or cause to be conveyed into any prison to which this act shall extend, any mask, vizer or other disguise, or any instrument or arms proper to facilitate the escape of any prisoners, and the same shall deliver or cause to be delivered to any prisoner, or to any other person there, for the use of any such prisoner, without the consent or privity of the keeper of such prison, every such person shall be deemed to have delivered such vizer or disguise, instrument or arms, with intent to aid and assist such prisoner to escape or attempt to escape; and if any person shall, by any means whatever, aid and assist any prisoner to escape, or in attempting to escape from any prison, every person so offending, whether an escape be actually made or not, shall be guilty of felony, and being convicted thereof shall be transported beyond the sea, for not exceeding fourteen years, 4 G. 4. c. 64. s. 43.

70. To the intent that prosecutions for escapes, breaches of prison, and rescues, may be carried on with as little trouble and expence as is possible, it is enacted, That any offender escaping, breaking prison, or being rescued therefrom, may be tried either in the jurisdiction where the offence was committed, or in that where he or she shall be apprehended and retaken; and in case of any prosecution for any such escape,

attempt to escape, breach of prison, or rescue, either against the offender escaping or attempting to escape, or having broken prison, or having been rescued, or against any other persons concerned therein, or aiding, abetting, or assisting the same, a certificate given by the clerk of assize, or other clerk of the court in which such offender shall have been convicted, shall, together with due proof of the identity of the person, be sufficient evidence to the court and jury of the nature and fact of the conviction, and of the species and period of confinement to which such person was sentenced, 4 G. 4. c. 64. s. 44.

71. In case it shall appear at any time to the justices at any general or quarter sessions of the peace, holden in any county or riding, or in any such division of a county as aforesaid, or in any district, city, town, or place to which this act shall extend, by any report made under the provisions of this act, of the state of any prison, to such justices at such sessions, or by any presentment at any time made by the grand jury at the assizes, great session, session of gaol delivery, or session of the peace, to be holden for any such county, riding, division, district, city, town, or place, or by any presentment at any time made by any two or more justices of the peace in and for the same, and laid before the justices at such general or quarter sessions of the peace, that any gaol or house of correction to which this act shall extend, within such county, riding, division, district, city, town, or place, is insufficient, inconvenient, or in want of repair, or otherwise inadequate to give effect to the rules and regulations prescribed by this act, or that there is a necessity for the erection of any new gaol or house of correction; the justices assembled at such general or quarter sessions, or at the general or quarter sessions, or adjournment thereof, next after any such report or presentment made, shall and they are hereby required to cause notice to be given, three times, at least, in some public newspaper circulating within such county, riding, division, district, city, town, or place, of such report or presentment having been laid before such sessions, and of their intention to take the same into consideration at the next ensuing or some subsequent general or quarter sessions, or adjournment thereof; and in case the justices at such last-mentioned sessions, or the major part of them, shall resolve that such report or presentment is well founded, then it shall and may be lawful for such justices, and they are hereby required, at the sessions mentioned in such notice, or at a subsequent sessions, or adjournment thereof, with the like notice, to take such measures, either by contract or otherwise, as shall appear to them to be requisite and proper, for the altering, enlarging, or repairing, or for building or rebuilding any such gaol or house of correction, regard being had, in the case of contracts, to the reasonableness of the price and responsibility of the contractors; and every contractor shall give sufficient security for the due performance of his contract to the clerk of the peace, or town-clerk, for the county, riding, division, district, city, town, or place, to be inspected at all reasonable times by any justices, or by any other person contributing to the rate of such county, riding, division, district, city, town, or place, without fee or reward, 4 G. 4. c. 64. s. 45.

72. After such presentment and notice, it shall be lawful for the justices in general or quarter sessions assembled, or the major part of them, and they shall have full power and authority to purchase any houses, buildings, lands, tenements, hereditaments, ways, watercourses, and other easements, for the purpose of enlarging or rendering commodious, or for the building or rebuilding any prison, and to direct the property so purchased to be conveyed to such person or persons as the said justices shall think fit, in trust for the purpose aforesaid, under the regulations and directions in this act contained; and such houses, buildings, lands, tenements, hereditaments, ways, watercourses, or other easements, shall, when enclosed and added to such prison, be deemed and taken to be parts of such prison, and to be within the county, riding, division, city, district, town, or place, to the use of which such prison may be applied, to all intents and purposes whatever, so long as the same shall be used by such county, riding, division, city, district, town, or place for the purpose of this act, and no longer, 4 G. 4. c. 64. s. 46.

73. If it shall at any time happen, that any such gaol or house of correction shall become unsafe or unfit for the custody of the prisoners confined therein, between the several times of holding the general or quarter sessions, it shall and may be lawful for any two or more justices (one of whom shall be a visiting justice for the prison) for the county, riding, division, district, city, town, or place, to order such repairs and alterations to be immediately done and made, as may be necessary and sufficient for the safe and proper custody of such prisoners, and the upholding of such prison; and such justices shall report the same to the next court of general or quarter sessions to be holden for such county, riding, division, district, city, town, or place; and such court is hereby authorized to order the payment of such sum or sums of money as shall have been properly expended in such repairs or alterations as aforesaid, 4 G. 4. c. 64. s. 47.

74. Every gaol, house of correction, or other prison, for any county, riding, or division, county of a city, or county of a town, or for any

town, liberty, soke, or place, not being a county, but having an exclusive jurisdiction for the trial of felonies or misdemeanors committed therein, which is now built or shall hereafter be built, together with the ground whereon the same shall stand, and every court, yard, building, and appurtenance thereunto belonging, with every addition that shall hereafter be made thereto, which said gaol, house of correction, or other prison, court, yard, building, appurtenance, or addition, is or shall be situate within the limits of any other county, riding, or division, county of a city, county of a town, or of any other town, liberty, soke, or place, not being a county, but having an exclusive jurisdiction for the trial of felonies or misdemeanors committed therein, shall be deemed and taken to be part of the county, riding, or division, county of a city, county of a town, or of the town, liberty, soke or place, for which the same shall be used as a gaol, house of correction, or other prison, so long as the same shall be so used, and no longer; and the justices of the peace, mayors, jurats, coroners, constables, and other officers of such county, riding, or division, county of a city, county of a town, or of such town, liberty, soke, or place for which the same shall be used as a gaol, house of correction, or other prison, shall during the time the same shall be so used, have as full power and authority therein as they would have if the same was not situate within the limits of such other county, riding, or division, county of a city, county of a town, or of such town, liberty, soke, or place, 4 G. 4. c. 64. s. 48. [See 5 G. 4. c. 85. s. 1—6. post. pl. 111—116.]

75. In the altering, enlarging, repairing, building, or re-building of any gaol or house of correction under this act, the justices shall adopt such plans as shall afford the most effectual means for the security, classification, health, inspection, employment, and religious and moral instruction of the prisoners; the building shall be so constructed or applied, and the keepers' and officers' apartments so situated, as may best ensure the safety of the prison, and facilitate the controul and superintendence of those committed thereto; distinct wards, and dry and airy cells shall be provided, in which prisoners of the several descriptions and classes herein-after enumerated may be respectively confined; and it shall be considered as a primary and invariable rule, that the male prisoners shall in all cases be separated from the female, so as to prevent any communication between them: provision shall be made for the separation of prisoners into the following classes:—

If a Gaol.

1st. Debtors, and persons confined for contempt of court on civil process.

2dly. Prisoners convicted of felony.

3dly. Those convicted upon trial of misdemeanors.

4thly. Those committed on charge or suspicion of felony.

5thly. Those committed on charge of misdemeanors, or for want of sureties.

If a House of Correction.

1st. Prisoners convicted of felony.

2dly. Prisoners convicted upon trial of misdemeanors.

3dly. Those committed on charge or suspicion of felony.

4thly. Those committed on charge of misdemeanors.

5thly. Vagrants.

Places of confinement shall also be set apart in every gaol and house of correction for such prisoners as are intended to be examined as witnesses in behalf of the crown in any prosecutions, and such further means of classification shall be adopted as the justices shall deem conducive to good order and discipline; separate rooms shall be provided as infirmaries or sick wards for the two sexes, and as far as is practicable for the different description of prisoners; and warm and cold baths, or bathing tubs, shall be introduced into such parts of the prison as may be best adapted for the use of the several classes; proper yards shall be allotted to the different classes for air and exercise, and each class shall have the use of a privy, and be furnished with a supply of good water; a separate sleeping cell shall, if possible, be provided for every prisoner; but as the numbers may sometimes be greater than the prison is calculated to contain, under the arrangement required by this act, and as it is expedient that two male prisoners only should never be lodged together, a small proportion of cells or rooms shall be provided for the reception of three or more persons; every prison shall contain rooms and places properly fitted up for the exercise of labour and industry, and also a competent number of cells adapted to solitary confinement, for the punishment of refractory prisoners, and for the reception of such persons as may by law be confined therein; a chapel shall be provided in every prison, in such a convenient situation as to be easy of access to all the prisoners; it shall be fitted up with separate divisions for males and females, and also for the different classes; it shall be strictly set apart for religious worship, or for the occasional religious and moral instructions of the prisoners, and shall never be appropriated to or employed for any other purpose whatsoever; in cases where the justices shall deem it necessary that the chaplain should reside, either occasionally or permanently, within the prison or near to it, proper apart-

ments shall be provided therein, or in the neighbourhood thereof, for his accommodation, 4 G. 4. c. 64. s. 49.

76. And whereas in some other counties and places to which the said recited act extends, by reason of the small number of prisoners usually confined therein, it may not be necessary to provide the whole number of wards and airing grounds thereby required, but it is necessary to provide that in all prisons some certain means of classification should be secured; be it further enacted, That in every prison to which the said recited act extends, except *Canterbury, Lichfield, and Lincoln*, provisions shall be made for the following classification, at the least:

In all such gaols, the male and female prisoners shall be confined in separate wards or parts of the gaol. The male prisoners shall be divided into five classes: first, debtors, and persons committed for contempt of court on civil process: second and third, prisoners convicted, who may be put into either of these classes, as to the visiting magistrates may seem meet, reference being had to the character and conduct of the prisoners, and the nature of their offence: fourth and fifth, prisoners committed for trial, who may also be put into either of these two classes, as to the visiting magistrates may seem meet, reference being had in like manner to the character and conduct of the prisoners, and the nature of their offence.

The female prisoners shall be divided at least into three classes: first, debtors and persons committed for contempt of court on civil process: second, prisoners convicted: third prisoners committed for trial.

In all such houses of correction, the male and female prisoners shall also be confined in separate wards or parts of the house. The male prisoners shall be divided into five classes: first and second, prisoners convicted, who may be put into either of such classes, as to the visiting magistrates may seem meet, regard being had to the character and conduct of the prisoners and the nature of their offence: third and fourth, prisoners committed for trial, in all houses of correction where such prisoners are received; such prisoners may be put into either of these classes, as to the visiting magistrates may seem meet, regard being had, as already mentioned, to the character and conduct of the prisoner, and the nature of his offence: fifth, vagrants.

In places where the gaol and house of correction are united, the male prisoners shall be divided into six classes at least: first, debtors and prisoners committed for contempt of court on civil process: second and third, convicted prisoners: fourth and fifth, those committed for trial; such prisoners to be assigned to either of these classes of prisoners convicted or committed respectively, as to the visiting magistrate shall seem meet, regard being always had to the character and conduct of the prisoners, and the nature of their offence: sixth, vagrants.

The female prisoners, in each of such houses of correction, shall be divided into three classes: first and second, prisoners convicted: the prisoners to be put into either of such classes, as to the visiting magistrates shall seem meet, regard being had to their character and conduct, and the nature of their offence; vagrants shall be assigned to one or the other of these classes, as the visiting magistrates in their discretion, may see meet: third, where females are committed to any house of correction before trial, they shall be kept in a class by themselves, 5 G. 4. c. 85. s. 10.

77. Whereas in some counties of *Wa.* it may be consistent with the due classification of the prisoners, to dispense with some of the wards or airing grounds required by the said recited act and this act; be it therefore further enacted, That if the court of quarter sessions of any county in *Wa.* shall, during the present year, present a petition to the lords of H. M.'s privy council setting forth the whole number of prisoners imprisoned in the common gaol and house or houses of correction of such county, within the last seven years, with the causes of their imprisonment respectively, so as to exhibit in which of the classes prescribed by the said recited act, or this act, each such prisoner would have been included, and showing also the greatest number of such prisoners imprisoned in such gaol and house or houses of correction, at any one time in each of the said seven years; and setting forth fully and particularly the then state of such gaol and house or houses of correction, and an estimate of the expence which would be incurred by enlarging such gaol, or such house of correction, to which the petition shall apply, so as to admit of the whole number of wards and airing grounds required by the said act or this act, and the amount of the county rate for each of the said seven years, and praying a dispensation with some part of the wards or other accommodations required by the said act or this act, which under the circumstances of such county may to such court appear unnecessary, it shall be lawful for the said lords of the privy council to take such petition into their consideration, and, if they shall see fit, to make an order thereon, directing in what manner and to what extent it shall be sufficient for such county to comply with the provisions of the said act and this act, and making such regulations touching the same as to them shall seem meet; and such county duly complying with such order, shall not be liable to be indicted, or otherwise impeached, for not further conforming itself to the regulations of

the said act and this act, in regard to the extent of its prisons, or the wards into which they are divided, or the accommodation to be found therein; any thing in the said recited act or this act to the contrary notwithstanding, 5 G. 4. c. 85. s. 11.

78. Any person confined in any prison to which the said recited act extends, for non-payment of any penalties incurred under the revenue laws, may be assigned to such class of convicted prisoners for whom a separate ward is therein provided, as the visiting magistrates in their discretion may think fit, regard being had to the character of the prisoner, and his or her conduct while in prison; and the reasons for assigning such prisoner to any particular class of convicts shall be reported by the visiting magistrates to the quarter sessions, 5 G. 4. c. 85. s. 12.

79. Where, in any prison, there shall be only one prisoner belonging to any class in the said act or herein specified, such prisoner may be assigned with his or her own consent, to any other class of prisoners, of the same sex, which the visiting magistrates in their discretion shall think fit, 5 G. 4. c. 85. s. 13.

80. In case it shall be expressly presented that the place wherein any old prison is situated is improper, and that the prison ought to be removed to some other part of the county, riding, division, district, city, town, or place, or that a new gaol or house of correction is necessary, the justices in their general or quarter sessions assembled, shall take such presentment into their consideration, and if it shall be resolved by the justices assembled at two successive general or quarter sessions, or the major part of them, that such old prisons ought to be removed, or that such new prison is necessary, it shall be lawful for the justices so assembled to contract for the building of a new gaol or house of correction in any part of the county, riding, division, district, city, town, or place which they may deem most eligible; and whenever the site of any prison shall be changed, and the old site shall be no longer necessary for the purpose of a prison, it shall be lawful for the justices so assembled to make sale thereof (unless it be the property of the King's Majesty, his heirs, and successors, or of some private individual), for the best price that can be gotten for the same, and to direct the purchase-money to be paid to the treasurer of such county, riding, division, district, city, town, or place, and to direct the trustee of such lands and hereditaments, his heirs, executors, or administrators (according to the tenure thereof), and the clerk of the peace or town-clerk, to convey the inheritance of such site to the purchaser; and every such conveyance, together with the treasurer's receipt for the purchase-money, shall give a good and valid title to the purchaser, and the purchase-money shall be applied by the treasurer in aid of the rate of such county, riding, division, district, city, town, or place; and whenever the building of any court of justice is or shall be so attached to any prison, as to render it impracticable or inconvenient to repair, enlarge, improve, or rebuild the said prison, without also altering or pulling down the building of the said court, then and in such cases it shall be lawful for the justices in general or quarter sessions assembled, to cause such courts to be altered or pulled down, or to be rebuilt, either on the same or on any other site, subject to the same provisions as are by this act appointed with respect to gaols, 4 G. 4. c. 64. s. 50.

81. Whenever the justices in general or quarter sessions assembled shall deem it necessary that the prisoners, or any part of them, shall be removed from any house of correction within their jurisdiction, in order that the same may be repaired, improved, enlarged or rebuilt, or on account of any contagious or infectious disease therein, or of the overcrowded state of such house of correction, or for any of the purposes of this act, it shall and may be lawful for the said justices, by an order in writing to be signed by the chairman of such general or quarter sessions, to direct the keeper of such house of correction to remove such prisoners to such other prison or place of confinement within their jurisdiction as the said justices shall appoint, and to confine such prisoners therein during the time such necessity shall exist; and that when such house of correction shall be repaired, enlarged, improved, or rebuilt, it shall be lawful for the said justices, by a like order in writing, to direct the said keeper to remove to the house of correction so repaired, enlarged, improved, or rebuilt; or when such contagious disease shall have ceased to exist, or the purposes for which the prisoners shall have been so removed shall have been answered, to remove back to the house of correction from whence the prisoners came all such prisoners as shall then remain in his custody; and that if for any of the causes above recited, the said justices so assembled as aforesaid shall deem it necessary to remove the debtors and other prisoners from any common gaol, the said justices shall give due and sufficient notice thereof in writing to the sheriff of such county, riding, division, city, or town, whereupon it shall be lawful for the said sheriff to remove such debtors and other prisoners to such prison or other place of confinement within his jurisdiction as the justices with the consent of the said sheriff shall appoint, and to confine them therein during the time such common gaol shall be repairing, enlarging, improving, or rebuilding, or during the

continuance of such contagious disease on account of which the said prisoners were removed, or during such time as shall be requisite for any purposes of this act; and that when such gaol shall be made fit for the reception and safe keeping of such debtors and other prisoners, then it shall be lawful for the said sheriff to remove thither all such prisoners as shall then be in his custody; and further, if a new common gaol shall be erected, or a prison previously used for other purposes shall be adapted to the use of a common gaol, and the justices in general or quarter sessions assembled shall, with the consent of the sheriff, order and declare that from a day to be named such new gaol, or prison newly adapted to such purpose, shall become the common gaol, it shall be lawful for the sheriff on that day, or at any time thereafter, to remove all prisoners in his custody to the last-mentioned gaol or prison, 4 G. 4. c. 64. s. 51.

82. Whenever any contagious disease or other emergency shall render necessary the immediate removal of the prisoners, or any of them, confined in any gaol or house of correction, and that previous thereto it shall be impossible to obtain for such purpose the order of the justices in general or quarter sessions assembled, it shall and may be lawful for the visiting justices of such prison, and they are hereby empowered to issue an order under their hands and seals to the keeper of every such prison, to remove such prisoners, or any of them, to such other prison or other place of confinement within their jurisdiction as shall be specified in such order, 4 G. 4. c. 64. s. 52.

83. Provided, that every such removal shall be subject to all such restrictions as to its duration as is hereby required and directed, and that every such order of visiting justices shall be laid before the justices assembled at the general or quarter sessions of the peace which shall be held next after such order shall have been made: provided also, that the prisoners confined in any common gaol of any county, city, town, or place, shall not be removed without the consent of the sheriff of such county, city, town, or place: provided also, that no removal made under the authority of this act shall be deemed or taken to be an escape; and that nothing herein contained shall extend to discharge the sheriff or other officer from being answerable for the actual escape of any prisoner in his custody, 4 G. 4. c. 64. s. 53.

84. When it shall appear that the amount of any estimate approved by the justices, for the building, or rebuilding, repairing, or enlarging any gaol or house of correction, under the powers of this act, shall exceed one half of the amount of the ordinary annual assessment for the rate of any county or riding, or of any such division of a county as aforesaid, or of any district, city, town, or place, (such ordinary assessment to be taken on an average of such rate for the last seven years preceding,) it shall and may be lawful for the justices, in quarter sessions assembled, from time to time to borrow and take up on mortgage of such rate, by instrument in the form contained in the schedule to this act annexed marked (C.), or to the like effect, any sum of money not exceeding the amount of such estimate, in sums not less than fifty pounds, nor exceeding one hundred pounds each [REp. 6 G. 4. c. 40. s. 5., which see *post*, pl. 147.], at interest, as to the said justices shall appear necessary and expedient for the purposes aforesaid, and to secure every such sum of money so borrowed upon the credit of the said rate; and it shall and may be lawful for the justices so assembled, and they are hereby authorized to treat and agree with any person for the loan of any such sums of money, and by their order to confirm every such agreement; and every such agreement, signed by the chairman and two or more other justices present at the time of making such order, shall be and the same is hereby declared to be effectual for securing to the person so advancing any such sum of money, every such sum, with interest for the same, on such terms as in and by such agreement shall be stipulated; and copies or extracts of all such agreements shall be kept with the clerk of the peace; and it shall and may be lawful for every person who shall be entitled to the money thereby secured, and such person is hereby empowered (by indorsing his name on the back of such security) to transfer the same, and his right to the principal money and interest thereby secured, unto any other person; and every such assignee may in like manner transfer the same again, and so *toties quoties*; and the person to whom such security or any such assignment thereof shall be made, and his executors, administrators, and assigns, shall be creditors upon the said rate in an equal degree one with another, and shall not have any preference with respect to the priority of any monies so advanced, 4 G. 4. c. 64. s. 54.

85. The said justices shall and they are hereby authorized and required to charge the rate to be raised upon such county, riding, division, district, city, town, or place, not only with the interest of the money so borrowed, but also with the payment of such further sum as shall ensure the payment of the whole of the sum borrowed within fourteen years from the time of borrowing the same; and such sums shall be assessed on the county, riding, division, district, city, town, or place, in such manner as county rates are directed to be assessed by the laws now in being, and paid and applied under the direction of the justices, in dis-

charge of the interest, and of so many of the principal sums on the said securities, as such money will extend to discharge in each year, until the whole of the money for which such securities shall be made, and the interest thereof, shall be fully paid and discharged; and the justices are required to fix one or more day or days in each year on which such payment shall be made, and shall make orders for assessments in due time, so as to provide for the regular payment thereof; and they are hereby required to appoint a proper person to keep an exact and regular account of all the receipts and payments, under the authority of this act, in a book or books, separate and apart from other accounts, and the same to adjust and settle in such manner that it may easily be seen what interest is growing due, and what principal money has been discharged, and what remains due; and the book or books so adjusted and settled to deliver into court at every general or quarter sessions to be held for such county, riding, division, district, city, town, or place; and the justices shall and they are required, at every such sessions, carefully to inspect all such accounts, and to make orders for carrying the several purposes of this act into execution, in such manner as to them shall seem meet; and if at any time it shall appear to the justices, that the person so appointed has neglected such order, and has not duly, and without delay, applied the money in his hands to the purposes hereby directed, such person shall forfeit half the amount of the money which shall not have been applied to the purposes of this act; and the justices so assembled in sessions as aforesaid shall direct in what order such securities shall be discharged, by drawing lots or otherwise, as they shall think fit, taking care to discharge in the first place all such securities as shall bear the highest rate of interest, 4 G. 4. c. 64. s. 55. [See 6 G. 4. c. 40. *post*, *pl.* 142.]

86. Whereas by stat. 4 G. 4. c. 64., and by stat. 5 G. 4. c. 12. [see *post*, *pl.* 124.] the justices of the peace in quarter sessions assembled have, in certain cases, authority to borrow on mortgage of the rate of the county, riding, division, district, city, town, or place, money for the purpose of building, rebuilding, repairing, or enlarging the gaol or house of correction, and to charge the said rate with such sum as shall ensure the payment of the whole sum borrowed, with interest, within fourteen years: and whereas, for the purpose of facilitating the reduction of the rate of interest, it may be expedient that the county, riding, division, district, city, town, or place should have power to borrow in like manner, on mortgage of its rate, a further sum for the purpose of paying off the principal sum so borrowed and secured as aforesaid; be it further enacted, That whenever it shall appear to the justices assembled at any general or quarter sessions to be holden for any county, riding, division, district, city, town, or place, having contracted a debt under the said recited acts, that advantage may arise from paying off the same and borrowing at a lower rate of interest, it shall be lawful for the justices so assembled to borrow on mortgage of such rate by instrument in the form directed by the said first recited act any sum or sums of money not exceeding in the whole the principal sum of money that may then be outstanding on the securities so theretofore granted, and therewith to discharge the whole or any part of the money for which such securities shall have been given: provided, that it shall not be lawful to use or apply any portion of the money to be borrowed under this provision, for any purpose other than the payment and discharge of the whole or part of the principal sum then due on the securities granted under the said recited acts: provided also, that the money to be borrowed under this provision shall be borrowed on such terms and under such conditions as shall in no way interfere with or prevent the full payment and discharge of the money borrowed under the provisions of the said recited acts, and so that the rate to be raised in such county, riding, division, district, city, town, or place, shall, within fourteen years from the time when the money was originally borrowed under the provisions of the said recited acts, be discharged and released from all securities so made as aforesaid, 5 G. 4. c. 85. s. 20. [See 6 G. 4. c. 40. *post*, *pl.* 142.]

87. It shall be lawful for the King's most excellent Majesty, his heirs and successors, and for all bodies politic and corporate, and also for all guardians, committees, husbands, trustees, and attornies of all persons being infants, lunatics, idiots, under coverture, or any other disability, and also for all other persons who are or shall be seized, possessed of, or interested in any houses, buildings, lands, tenements, hereditaments, easements, or privileges, which shall be deemed necessary for the purposes of this act, to contract or agree for, and to sell, convey, and assure such houses, buildings, lands, tenements, hereditaments, easements, and privileges, unto such persons as shall be named by the justices at general or quarter sessions, in trust and for the purpose of erecting new prisons, or of enlarging old ones, and the yards, courts, and outlets thereunto belonging; and all such contracts, agreements, sales, conveyances, and assurances shall be valid and effectual in law to all intents and purposes whatsoever, 4 G. 4. c. 64. s. 56.

88. Whenever any lands or hereditaments of the King's Majesty shall be requisite, and shall be contracted for, to be used for the purposes aforesaid; the same, if held by the King's Majesty, his heirs or successors, in the right of his or their royal crown, shall and may be legally con-

veyed by an instrument, under the hands and seals of the lord high treasurer, or of the commissioners of H. M.'s treasury, or of any three of them, and if parcel of the duchy of *Lancaster*, by an instrument under the hand and seal of the chancellor of the same duchy, and if parcel of the duchy of *Cornwall*, by an instrument under the hands and seals of the officers of the same duchy, authorized to grant leases under stat. 5 G. 4. c. 78. s. 19, 20., or any two of such officers, 4 G. 4. c. 64. s. 57.

89. Whenever any such corporation, guardian, committee, trustee, or attorney, or other person interested in any houses, buildings, lands, tenements, hereditaments, easements, or privileges, contiguous to any gaol or house of correction, which shall be deemed necessary for the purposes of enlarging or rendering more commodious any such gaol or house of correction, upon notice in writing to him, her or them given, or left at the place or places of abode of such person or persons, or of the principal officer or officers of such corporation, shall, for the space of twenty-one days after such notice so given or left, neglect or refuse to treat, or shall refuse to accept such price as shall be offered by the justices or their agent, or shall otherwise not agree for the sale of such houses, building, lands, tenements, hereditaments, easements, or privileges; and whenever by reason of absence or incapacity any person shall be prevented from treating for such sale, then and in every such case the justices at the general or quarter sessions next after the termination of such twenty-one days, or at an adjournment thereof, shall and they are hereby required to cause notice to be given three times at least in some public newspaper circulating within such county, riding, division, district, city, town, or place, of their intention to take into consideration, at the next ensuing or some subsequent or general quarter sessions, or adjournment thereof, the matter of such neglect, refusal, or omission, or prevention to treat, or to accept of such price offered, or to agree for such sale as aforesaid, and the cause and reasons thereof respectively; and the person or persons, or some officer of any corporation so interested as aforesaid, in any such houses, buildings, lands, tenements, hereditaments, easements, and privileges, or some person on their behalf respectively, shall have liberty to attend such meeting, if they shall think fit, and to state to the justices there assembled their reasons for such neglect, refusal, or omission as aforesaid; and in case the justices at such last-mentioned sessions, or the major part of them, shall, after hearing what the parties interested as aforesaid, or their agents, have to allege in behalf of their respective interests, and upon due consideration had of such matter as aforesaid, resolve to proceed to the valuation and purchase of such lands, tenements, hereditaments, easements, or privileges, notwithstanding such neglect, refusal, or omission, or prevention as aforesaid, then and in every such case the justices at such sessions, or any two or more of them appointed for that purpose, shall cause the value of such houses, buildings, lands, tenements, hereditaments, easements, and privileges, to be inquired into and ascertained by a jury of indifferent men of the county, riding, division, district, city, town, or place, wherein the same shall be situate, and to that end shall summon before such jury, and examine upon oath (which oath any one of the justices is hereby empowered to administer) any person or persons whomsoever; and such justices, or any two of them, shall by ordering a view or otherwise, use all ways and means for the information of themselves and of such jury in the premises; and when such jury shall have inquired of and ascertained by their verdict the value of such houses, buildings, lands, tenements, hereditaments, easements, and privileges, the said justices shall thereupon order that the sum which shall so appear to be the value of such houses, buildings, lands, tenements, hereditaments, easements, and privileges, shall be paid in such manner as is herein-before directed touching the money to be paid for such houses, buildings, lands, tenements, hereditaments, easements, or privileges, for sale whereof the persons interested shall contract and agree in manner aforesaid; which verdict and order shall be filed of record by the clerk of the peace, or other officer having the custody of the records of the county, riding, division, district, city, town, or place, and shall be final and conclusive, to all intents and purposes whatsoever, against all parties and persons whomsoever, claiming or to claim in possession, reversion, remainder, or otherwise, their heirs and successors, as well absent as present, infants, lunatics, idiots, and persons under coverture, or any other disability whatsoever, corporations, guardians, committees, husbands, trustees, and attornies, or any other person or persons whomsoever, 4 G. 4. c. 64. s. 58.

90. For the summoning and returning such juries, such justices, or any two of them, may issue their warrant to the sheriff or officer having the returning of writs within the county, riding, division, district, city, town, or place within the limits of which the houses, buildings, lands, tenements, hereditaments, easements, or privileges, shall be situate, requiring him to impanel, summon, and return an indifferent jury of twenty-four persons, qualified to serve on juries, to appear before the said justices, or any two of them, at such time and place as in such warrant shall be appointed; and such sheriff or officer is hereby required to impanel, summon, and return such number of persons accordingly, and out of

the persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such summons, the justices, or any two of them, shall and they are hereby empowered and required to draw by ballot, and to swear, or cause to be sworn, twelve men, who shall be the jury for the purposes aforesaid; and in default of a sufficient number of jurymen so returned, the said sheriff or officer shall take such other honest and indifferent men of the bystanders, or that can speedily be procured to attend that service, as shall make up the number twelve; and all persons concerned shall have their lawful challenges against any of the persons impanelled when they come to be sworn; and the said justices, or any two of them, shall have power to impose a fine or fines on such sheriff or officer, or his deputy or deputies, making such default in the premises, and on any of the persons who shall be summoned and returned on such jury, and who shall not appear, or appearing shall refuse to be sworn on the said jury, or being sworn shall refuse to give or shall not give a verdict, or shall in any other manner wilfully neglect his or their duty therein; and also on any person who, being summoned and required to give evidence before the said jury, shall refuse or neglect to appear, or appearing shall refuse to be sworn or to give evidence, so that no such fine be more than ten pounds nor less than twenty shillings on any one person for one offence, 4 G. 4. c. 64. s. 59.

91. In case any jury shall deliver a verdict for more money as the value of the houses, buildings, lands, tenements, hereditaments, easements, or privileges so to be purchased, than shall have been offered for the purchase thereof by the justices or their agent, to any person capable of contracting for the same, the costs and expences of summoning and maintaining the jury and witnesses shall be borne and paid out of the same fund as the expences of the buildings to be erected; but if such jury shall deliver a verdict for no more or for less money than the money which shall have been so offered by such justices or their agent, then the costs and expences of summoning and maintaining the jury and witnesses shall be borne and paid by the person or persons with whom such controversy or dispute, touching the value of such houses, buildings, lands, tenements, hereditaments, easements, or privileges, shall arise: provided, that in all cases where any person or persons shall, by reason of absence, have been prevented from treating, such costs and expences shall be borne and paid out of the same fund as the expences of the building to be erected, 4 G. 4. c. 64. s. 60.

92. Upon payment of such sum and sums of money so to be ascertained and judged, (that is to say) first in or towards the payment and discharge of any sums due on charges, incumbrances, and liens, if any, affecting the several estates respectively, and then to the owners of the said estates respectively, if any shall remain for that purpose, the person or persons who shall be so found and adjudged to be the owners of the said several estates, of and in the said houses, buildings, lands, tenements, or hereditaments, easements or privileges respectively, and also the owners of any such incumbrances, charges, and liens respectively, shall make and execute, or procure to be made and executed to the person or persons so named by such justices, and his or their heirs, a good and sufficient conveyance or conveyances, thereby granting, releasing, or assigning to them the said houses, buildings, lands, tenements, or hereditaments, easements or privileges, and all such estate, right, title, term, or interest therein, or charge, incumbrances, or lien thereon; and immediately upon such payments, and entry of such verdicts of the said juries, and judgments, sentences, and decrees, orders, and other proceedings as aforesaid, the said lands, houses, buildings, and premises shall vest in the person or persons to be so named by the said justices, and his and their heirs, and he and they shall be deemed in law to be in the actual seisin and possession thereof, to all intents and purposes whatsoever, as fully and effectually as if every person having any estate in the premises, in possession, remainder, reversion, or expectancy, or any charge, incumbrance, or lien thereon, was of full age and of sound mind and memory, and had actually and duly conveyed the same to such trustee by lease and release, bargain and sale enrolled, feoffment with livery and seisin, fine and recovery, or by any other legal conveyance whatsoever, 4 G. 4. c. 64. s. 61.

93. If any money shall be agreed or awarded to be paid for any houses, buildings, lands, tenements, hereditaments, easements, or privileges, purchased, taken, or used by virtue of the powers of this act, which shall belong to any corporation, feme covert, infant, lunatic, person or persons under any other disability or incapacity, such money shall, in case the same shall amount to the sum of two hundred pounds, with all convenient speed be paid into the bank of Eng., in the name and with the privity of the accountant-general of the high court of chancery, to be placed to his account, *ex parte* the justices of the peace for the county of —, to the intent that such money shall be applied under the direction and with the approbation of the said court, to be signified by an order made upon a petition to be preferred in a summary way by the person or persons who would have been entitled to the rents and profits of the said houses, buildings, lands, tenements, hereditaments, easements, or privileges, in the purchase of the land-tax, or discharge of any

debt or debts, or such other incumbrances, or part thereof, as the said court shall authorize to be paid, affecting the same lands, tenements, or hereditaments, or affecting other houses, buildings, lands, tenements, hereditaments, easements, or privileges, standing settled therewith to the same or the like uses, intents and purposes; or where such money shall not be so employed, then the same shall be laid out and invested, under the like direction and approbation of the said court, in the purchase of other houses, buildings, lands, tenements, hereditaments, easements, or privileges, which shall be conveyed and settled to, for, and upon such and the like uses, trusts, intents, and purposes, and in the same manner as the houses, buildings, lands, tenements, hereditaments, easements, or privileges, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the time of making such conveyance and settlement shall be existing undetermined and capable of taking effect; and in the mean time and until such purchase shall be made, the said money shall by order of the court of chancery, upon application thereto, be invested by the said accountant-general in his name, in the purchase of three pounds *per centum* consolidated or three pounds *per centum* reduced bank annuities; and in the mean time, and until the said bank annuities shall be ordered by the said court to be sold for the purposes aforesaid, the dividends and annual produce of the said consolidated or reduced bank annuities shall from time to time be paid by order of the said court to the person or persons who would for the time being have been entitled to the rents and profits of the houses, buildings, lands, tenements, hereditaments, easements, or privileges so hereby directed to be purchased, in case such purchase or settlement were made, 4 G. 4. c. 64. s. 62.

94. Provided, that if any money so agreed or awarded to be paid for any houses, buildings, lands, tenements, hereditaments, easements, or privileges, purchased, taken, or used for the purposes aforesaid, and belonging to any corporation, or to any person or persons under disability or incapacity as aforesaid, shall be less than the sum of two hundred pounds, and shall amount to or exceed the sum of twenty pounds, then and in all such cases the same shall, at the option of the person or persons for the time being entitled to the rents and profits of the houses, buildings, lands, tenements, hereditaments, easements, or privileges so purchased, taken, or used, or of his, her, or their guardian or guardians, committee or committees, in case of infancy or lunacy, to be signified in writing under their respective hands, be paid into the bank of Eng., in the name and with the privity of the said accountant-general of the high court of chancery, and be placed to his account as aforesaid, in order to be applied in manner herein-before [s. 62. *pl.* 93.] directed; or otherwise the same shall be paid, at the like option, to two trustees, to be nominated by the person or persons making such option, and approved of by the said justices (such nomination and approbation to be signified in writing under the hands of the nominating and approving parties), in order that such principal money, and the dividends arising thereon, may be applied in manner herein-before directed, so far as the case be applicable, without obtaining or being required to obtain the direction or approbation of the said court of chancery, 4 G. 4. c. 64. s. 63.

95. Provided, that where such money so agreed or awarded to be paid as next before mentioned shall be less than twenty pounds, then and in all such cases the same shall be applied to the use of the person or persons who would for the time being have been entitled to the rents and profits of the houses, buildings, lands, tenements, hereditaments, easements, or privileges, so purchased, taken, or used for the purposes of this act, in such manner as the trustees shall think fit; or in case of infancy or lunacy, then to his, her, or their guardian or guardians, committee or committees, to and for the use and benefit of such person or persons so entitled respectively, 4 G. 4. c. 64. s. 64.

96. In case the person or persons to whom any sum or sums of money shall be awarded for the purchase of any houses, buildings, lands, tenements, hereditaments, easements, or privileges, to be purchased by this act, shall refuse to accept the same, or shall not be able to make out a good title to the premises to the satisfaction of the said justices; or in case such person or persons to whom such sum or sums shall be so awarded as aforesaid cannot be found, or if the person or persons entitled to such houses, buildings, lands, tenements, hereditaments, easements, or privileges, be not known or discovered, then and in every such case it shall be lawful to and for the said justices to order the said sum or sums of money so awarded as aforesaid to be paid into the bank of Eng., in the name and with the privity of the accountant-general of the court of chancery, to be placed to his account to the credit of the persons interested in the said houses, buildings, lands, tenements, hereditaments, easements, or privileges (describing them), subject to the order, controul, and disposition of the said court of chancery; which said court of chancery, on the application of any person or persons making claim to such sum and sums of money, or any part thereof, by motion or petition, shall be and is hereby empowered in a summary way of proceeding or otherwise, as to the same court shall seem meet, to order the same to be laid out and invested in the public funds,

and to order the distribution thereof, or payment of the dividends thereof, according to the respective estate or estates, title or interest of the person or persons making claim thereunto, and to make such other order in the premises as to the said court shall seem just and reasonable; and the cashier or cashiers of the bank of *Eng.*, who shall receive such sum or sums of money, is and are hereby required to give a receipt for such sum or sums of money, mentioning and specifying for what and for whose use the same is or are received, to such person or persons who shall pay any such sum or sums of money into the bank as aforesaid, 4 G. 4. c. 64. s. 65.

97. Provided, that where any question shall arise touching the title of any person to any money to be paid into the bank of *Eng.* in the name and with the privity of the accountant-general of the court of chancery, in pursuance of this act, for the purchase of any houses, buildings, lands, tenements, hereditaments, easements, or privileges, or of any estate, right, or interest in any houses, buildings, lands, tenements, hereditaments, easements, or privileges to be purchased in pursuance of this act, or to any bank annuities to be purchased with any such money, or the dividends or interest of any bank annuities, the person or persons who shall have been in possession of such houses, buildings, lands, tenements, hereditaments, easements, or privileges, at the time of such purchase, and all persons claiming under such person or persons, shall be deemed and taken to have been lawfully entitled to such houses, buildings, lands, tenements, hereditaments, easements, or privileges, according to such possession, until the contrary shall be shewn to the satisfaction of the said court of chancery; and the dividends or interest of the said bank annuities to be purchased with such money, and also the capital of such bank annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said court that such possession was a wrongful possession, and that some other person or persons was or were lawfully entitled to such houses, buildings, lands, tenements, hereditaments, easements, or privileges, or to some estate or interest therein, 4 G. 4. c. 64. s. 66.

98. Provided also, that where by reason of any disability or incapacity of the person or persons, or corporations entitled to any houses, buildings, lands, tenements, hereditaments, easements, or privileges to be purchased under the authority of this act, the purchase money for the same shall be required to be paid into the courts of chancery, and to be applied in the purchase of other houses, buildings, lands, tenements, hereditaments, easements, or privileges, to be settled to the like uses in pursuance of this act, it shall and may be lawful to and for the said court of chancery to order the expences of such last-mentioned purchases from time to time to be made in pursuance of this act, or so much thereof as the said court shall deem reasonable, to be paid by the said justices, out of any monies to be received for the purposes of this act, who shall from time to time pay such sums of money for such purposes as the said court shall direct, 4 G. 4. c. 64. s. 67.

99. Whereas it may be found expedient in some places, for the purpose of building, enlarging, or rendering more commodious the gaol or house of correction, to fix upon lands or tenements over which rights of common exist; and in such case great difficulties may arise in purchasing and obtaining a conveyance of such commonable lands or tenements under the general powers of the said recited act; be it therefore enacted, That for the purpose of the said recited act and of this act, and of any local act relative to any such gaol, or house of correction, the churchwardens for the time being of the parish wherein any such commonable lands or tenements shall be situate, shall be considered as the persons solely and absolutely entitled to the rights of common of pasture, or other commonable rights to which any such lands or tenements shall be subject; and that the monies for which any such commonable rights shall be purchased shall be paid to such churchwardens, whose receipts shall be an effectual discharge for the same, and the same monies shall be applied by such churchwardens to such general and public purposes within the parish where the lands or tenements so purchased shall be situate, as a vestry of such parish to be convened by such churchwardens, shall direct, 5 G. 4. c. 85. s. 18.

100. For the purpose of receiving the notice required by stat. 4 G. 4. c. 64. to be given to persons interested in houses, buildings, lands, tenements, hereditaments, easements, or privileges contiguous to any gaol or house of correction, and deemed necessary for the purposes of enlarging the same, or rendering it more commodious, the occupier of such houses, buildings, lands, tenements, hereditaments, easements, or privileges, shall be deemed the person interested therein; and that every such occupier, upon receiving any such notice, shall forthwith transmit or deliver the same to any other person interested, under whom he may hold the houses, buildings, lands, tenements, hereditaments, easements, or privileges so deemed necessary, 5 G. 4. c. 85. s. 19.

101. In order to defray the expences of the several matters and things herein-before directed to be done, respecting gaols, houses of correction, and other prisons, and for the support and maintenance of prisoners confined therein, who are entitled by law to such support, and for all

other expences necessary to the execution of this act, and not herein-before particularly provided for: it is enacted, That it shall be lawful for the justices, at their general or quarter sessions, to cause such sums as shall be necessary for all or any of those purposes, to be raised on the counties, ridings, divisions, districts, cities, towns, or places, to which this act extends, in the same manner as rates applicable to the building, repairing, or maintenance of such prisons respectively, are now directed to be raised by law, 4 G. 4. c. 64. s. 68.

102. All fines, forfeitures, and penalties imposed by this act, or which shall be imposed by virtue of any rule to be made in pursuance thereof, shall, on conviction of the offender before any one justice, be levied by distress and sale of the offender's goods, by warrant under the hand and seal of such justice, who is hereby authorized to hear and examine witnesses on oath or affirmation, on any complaint, and to determine the same; and all such fines, forfeitures, and penalties, the application whereof is not herein-before directed, shall be paid from time to time to the treasurer of the county, riding, division, district, city, town, or place for the time being, and shall be applied and disposed of in aid of the rate applicable to the purposes of this act, and to or for no other use or purpose whatsoever; and for want of sufficient distress, the offender shall be committed to the common gaol or house of correction, for such term not exceeding six calendar months, nor less than one month, as such justice shall think proper, 4 G. 4. c. 64. s. 69.

103. And for the more easy and speedy conviction of offenders against this act, it is enacted, That the justice before whom any person shall be convicted of any offence against this act shall and may cause the conviction to be drawn up in the following form of words, or in any other form of words to the same effect, as the case shall happen; *videlicet*,

'Be it remembered, that on — in the year of our Lord — A. B. is convicted before me, C. D., one of H. M.'s justices of the peace for the — of —, for that the said A. B. [specifying the offence and the time and place when and where the same was committed, as the case shall be,] and the said A. B. is for the said offence adjudged by me, the said justice, to forfeit and pay the sum of — or to be imprisoned in — for the space of — [as the case shall be]. Given under my hand and seal, the day and year first above mentioned.'

4 G. 4. c. 64. s. 70.

104. Provided, that if any person shall think himself or herself aggrieved by any conviction of any justice, in pursuance of this act, such person may appeal to the justices of the peace at any quarter sessions of the county, riding, division, district, city, town, or place wherein such conviction shall have taken place, within four calendar months after the cause of such complaint shall have arisen, such appellant first giving or causing to be given ten clear days' notice at least in writing of his or her intention to bring such appeal, and of the matter thereof, to the justice or justices before whom the conviction shall have been had, and to the clerk of the peace for the county, riding, or division, district, city, town, or place, in which such conviction shall have been had, and within two days after such notice entering into recognizance before some justice for such county, riding, or division, district, city, town, or place, with two sufficient sureties, conditioned to try such appeal, and abide the order of, and to pay such costs as shall be awarded by the justices at such session; and the justices at such session, upon due proof of such notice being given as aforesaid, and of the entering into such recognizance, shall hear and finally determine the matter of such appeal in a summary way, and award such costs to the parties appealing or appealed against as they the said justices shall think proper; and the determination of such session shall be final, binding, and conclusive to all intents and purposes, 4 G. 4. c. 64. s. 71.

105. No order made touching any of the matters in this act contained, nor any conviction of any offender against this act, shall be quashed for want of form, or be removed or removable by *certiorari*, or by any other writ or process whatsoever into any of H. M.'s courts of record at *Westminster*; and where any distress shall be made for any fine, penalty, or sum of money to be levied by virtue of this act, the distress itself shall not be deemed to be unlawful, nor the party making the same be deemed a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress, or other proceedings relating thereto; nor shall such party be deemed a trespasser *ab initio*, on account of any irregularity which shall be afterwards done by the party distraining, but the person aggrieved by such irregularity shall and may recover full satisfaction for the special damage (if any) in an action upon the case; but no plaintiff shall recover in any action for such irregularity as aforesaid, if tender of sufficient amends shall have been made by or on behalf of the party distraining before such action brought, 4 G. 4. c. 64. s. 72.

106. If any suit or action shall be prosecuted against any person for any thing done in pursuance of this act, such person may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done by authority of this act; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue his or her action after issue joined,

or if upon demurrer or otherwise, judgment shall be given against the plaintiff, the defendant shall recover double costs, and have the like remedy for the same as any defendant hath by law in other cases; and though a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant, unless the judge before whom the trial shall be shall certify his approbation of the action, and of the verdict obtained thereupon, 4 G. 4. c. 64. s. 73.

107. All matters and things which by this act the sheriff of any county is required or authorized to do and perform, shall, in those districts, cities, towns, liberties, or places where the sheriff hath no jurisdiction, be done and performed by the bailiff or bailiffs, or other like officer or officers, having within their respective districts, cities, towns, and liberties, duties analogous to the duties of the sheriff of a county; and that all matters and things which by this act the treasurer of any county is required or authorized to do and perform, shall, in those places where the county treasurer hath no authority, be done and performed by the officer or officers having and exercising within such places duties analogous to those of a county treasurer; and that all matters and things which by this act the clerk of the peace of any county, riding, or division is required or authorized to do and perform, shall, in those places where the clerk of the peace of the county hath no authority, be done and performed by the town-clerk or other like officer having and exercising within such places duties analogous to those of the clerk of the peace of any county, 4 G. 4. c. 64. s. 74.

108. All actions, suits, and prosecutions, to be commenced against any person for any thing done in pursuance of this act, shall be laid and tried in the county where the facts were committed, and shall be commenced within six months after the fact committed, and not otherwise, 4 G. 4. c. 64. s. 75.

109. Nothing in this act contained shall extend to the royal hospital of *Bethlehem* and prison of *Bridewell*, nor to the *King's Bench* or *Fleet* prison, or to the prison of the *Marshalsea* or palace courts, the general penitentiary at *Milbank*, nor to the penitentiary at *Gloucester*; nor to any ships or vessels provided in any port or navigable river for the reception and employment of convicts sentenced to transportation; nor to exempt any such convicts from any punishment or discipline to which they were liable by law before the passing of this act, 4 G. 4. c. 64. s. 76.

110. Where any prison is situate on lands of the King's Majesty in right of his royal crown, or of his duchy of *Lancaster* or *Cornwall*, such lands, with their appurtenances, shall remain for ever unalienable, so long as they shall be used for the purpose of such prison, 4 G. 4. c. 64. s. 77.

111. It shall be lawful for the justices of the peace, or any two of them, or for other persons having the government or ordering of any gaol or house of correction, in any city, town, borough, port, or liberty, to contract with the justices of the peace, having authority or jurisdiction in and over any gaol or house of correction of the county, riding, or division, wherein or whereto such city, town, borough, port, or liberty is situate or adjacent, or with any two of them, for the support and maintenance, in such last-mentioned gaol or house of correction, of any prisoners committed thereto, from such city, town, borough, port, or liberty; provided, that no such contract be entered into by any justices of the peace of any county, riding, or division, without an order for that purpose being made at some general or quarter sessions, or gaol sessions, having jurisdiction in that behalf, nor by the justices or other persons having the government of the prison of any such city, town, borough, port, or liberty, without an order for that purpose being made at the sessions thereof; and every such contract may either be perpetual, or limited to a certain term of years, as the parties shall mutually agree; and during the existence of such contract, every prisoner who would otherwise be confined in the gaol or house of correction of the city, town, borough, port, or liberty, so contracting, may be lawfully committed or removed to and confined in the gaol or house of correction so receiving him or her under such contract; and all prisoners so confined by contract, whether before or after trial, shall be subject in all matters and things to the same rules and regulations as if they were committed thereto by any of the justices of the county, riding, or division; and if committed before trial, shall be triable and tried in the same manner as if their offences had been committed in a part of the county, riding, or division, not within the city, town, borough, port, or liberty from whence such prisoners shall come; save only, that if the gaol or house of correction so receiving under contract a prisoner committed for trial, shall be situate within two miles of the usual place of trial of the city, town, borough, port, or liberty wherein the offence charged against such prisoner shall be alleged to have been committed, it shall be lawful to try such prisoner in the manner heretofore accustomed, and for the magistrates or other proper officer of such city, town, borough, port, or liberty, to direct the removal of such prisoner for trial, and to do all other acts necessary for such trial, or consequent thereon, 5 G. 4. c. 85. s. 1.

112. The monies to be paid under any such contract as aforesaid shall

be raised in the same manner as monies for defraying the expences of the gaol or house of correction for which a substitute shall be provided under such contract; and where such expences are not wholly defrayed from the same fund, and there shall arise a difference of opinion between the parties interested in the several funds applicable to the several purposes of the prison, as to the proportion in which those funds respectively shall contribute to the sum to be paid to the county, riding, or division, for the use of its prison, and such difference shall not be adjusted by agreement between themselves, it shall be lawful for either of such parties to apply to the justices of assize of the last preceding circuit, or of the next succeeding circuit, or to one of such justices, who shall by writing under their or his hands or hand, nominate a barrister at law, not having any interest in the question, to arbitrate between the parties; and such arbitrator may, if he shall see fit, adjourn the hearing from time to time, and require all such further information to be afforded by either of the parties, as shall appear to him meet and necessary; and shall, by his award in writing, determine the proportions in which such parties shall contribute towards the said expences; and his award shall be final and conclusive between the parties; and such arbitrator shall also assess the costs of the arbitration, and shall direct by whom, and out of what fund, the same shall be paid, 5 G. 4. c. 85. s. 2.

113. During the existence of any such contract, if it shall extend to the whole of the prisoners who would otherwise be confined in the gaol or house of correction of the city, town, borough, port, or liberty so contracting, such city, town, borough, port, or liberty, shall not be liable to indictment or impeachment for the non-repair of its gaol or house of correction respectively; and if such contract shall extend to only a certain class or classes of its prisoners, such city, town, borough, port, or liberty shall not be liable to provide the accommodation required to be otherwise provided for the same class or classes of prisoners by the said recited act, or by any other act now in force, 5 G. 4. c. 85. s. 3.

114. If it shall seem fit to the magistrates or superintending officers of any city, town, borough, port, or liberty, that instead of altering or building any gaol or house of correction for their separate use, or contracting under the provisions aforesaid, it would be more advisable to raise a sum or sums of money in aid of building a new or of enlarging a county prison, it shall be lawful for them to agree with the justices of the peace, having authority or jurisdiction in and over any gaol or house of correction of the county, riding, or division wherein or whereto such city, town, borough, port, or liberty is situate or adjacent, or with any two of them, for the payment to such justices, having such authority as aforesaid, of any sum or sums of money to be by them applied in or towards the altering, enlarging, building, rebuilding, repairing, or improving such gaol or house of correction of the county, riding, or division aforesaid: provided, that no such agreement be entered into by any justices of the peace for any county, riding, or division, without an order for that purpose being made at some general or quarter sessions or gaol sessions, having jurisdiction in that behalf, 5 G. 4. c. 85. s. 4. [See 5 G. 4. c. 12. *post*, pl. 124.]

115. All monies to be paid under any such agreement as last mentioned, shall be raised in the same manner, and subject to the same conditions, as is directed in respect of monies to be raised for the building or rebuilding, repairing or enlarging any gaol or house of correction under the provisions of this act, 5 G. 4. c. 85. s. 5.

116. It shall be lawful for such justices of the peace of any such county, riding, or division, entering into any such agreement as last aforesaid, to stipulate in the same (if they shall see fit so to do) that it shall be lawful for such county, &c., at such time or times as shall be in that behalf provided in such agreement, to repay to the said city, &c. the sum or sums of money which shall have been so paid or advanced in or towards the altering, enlarging, building, rebuilding, repairing, or improving such gaol or house of correction of the county, &c. aforesaid, 5 G. 4. c. 85. s. 6.

117. The chief magistrate of every city, town, borough, port, or liberty now having a gaol or house of correction, in *Eng. and Wa.*, shall, in the month of *Oct.* next, report to one of H. M.'s principal secretaries of state whether any contract has been made with the county, riding, or division, for the use of its prisons, or any of them, by such city, town, borough, port, or liberty, and to what classes of prisoners such contract, if any, shall extend; and if there be no such contract, whether any steps have been taken towards such contract; and if so, in what state the treaty is, and what obstacles there are to its completion; and the chief magistrate of every such city, town, borough, port, or liberty, where no such contract shall be in existence, shall, in the same month of *Oct.*, transmit to one of H. M.'s principal secretaries of state, a copy of all such rules and regulations as shall be then in force for the government of every such prison, and a return in the form of the schedule to this act annexed, marked (A.), and a statement of the establishment of officers and servants employed therein, specifying the number and description of such officers and servants, the salaries and emoluments of each, and by whom such officers and servants are respectively

appointed, and a plan of every such prison, drawn upon a scale of one-sixteenth of an inch to a foot; and the said copies and plans shall be carefully preserved in the office of such secretary of state; and such magistrate shall, in every subsequent month of Oct., until such a contract shall be entered into, transmit to such secretary of state a return in the form of the said schedule, and a copy of all additions to such rules and regulations, or alterations made therein, and a statement of any increase or diminution in such establishment of officers and servants, or in their respective salaries and emoluments, together with plans, on the scale above mentioned, of any additions to the buildings of such prison, or alterations made in the construction thereof, during the preceding year, 5 G. 4. c. 85. s. 7.

118. Whereas it is desirable that more effectual means should be afforded, whereby prisoners discharged from prison should be enabled to return to their place of settlement; it is enacted, That when any prisoner discharged from prison shall be desirous of being supplied with the means of so returning, it shall and may be lawful for any two visiting justices of such prison, upon application from such prisoner, to take the examination in writing upon oath of such prisoner, as to his or her last legal place of settlement; and upon such examination, and such other evidence as the said visiting justices may be able to procure, it shall be lawful for the said visiting justices, if they shall so think fit, to afford to such prisoner the means of returning to his or her place of last legal settlement, in the manner herein-after directed, 5 G. 4. c. 85. s. 22.

119. It shall be lawful for the justices of the peace of each and every county, riding, or division in Eng., in their general or quarter sessions assembled, to cause engraved copper plates or printed forms of passes to be provided, according to the form in schedule (B.) annexed to this act, bearing H. M.'s arms, and sealed with the county seal, or with a seal to be specially provided for that purpose; and the said justices may cause the same to be issued to the keepers of the several prisons within their respective counties, ridings, or divisions, for the use of the visiting justices of each such prison, whenever any prisoner or prisoners discharged from or about to be discharged from such prison shall apply to be furnished with the same; and the said visiting justices shall, if after a due consideration of the circumstances they shall deem it expedient, fill up the blanks in every such pass, and certify the same, and make out a route in the proper column for the purpose, of each such prisoner, and for the child or children, if any, of each such prisoner, specifying the place to which such prisoner and such child or children is or are going, and the time to which the said pass is (except in cases of sickness or unavoidable accident) limited, in order that such prisoner may receive such allowances as are authorized by this act, not exceeding 1½d. per mile for such prisoner, and 1d. per mile for each child, which from being in a state of nurture or without other protection may have been confined in prison with such prisoner, 5 G. 4. c. 85. s. 23.

120. Upon the production of such pass to any overseer of the poor of any place through which such discharged prisoner shall proceed, according to the route specified in such pass, he shall, out of any money in his hands applicable to the relief of the poor, pay such discharged prisoner an allowance not exceeding the rate per mile specified in such pass as aforesaid, for the number of miles to the next city, town, or place to which he or she may be going, and he shall indorse on such pass the money so paid, and take a receipt for the same from the discharged prisoner, signed with his or her hand or mark, 5 G. 4. c. 85. s. 24.

121. The said sums so advanced by any overseer shall, upon production and delivery of such receipt to the treasurer of the county, riding, or division in which the parish or place of such overseer, [so in the act] be repaid to such overseer, for the use of the fund for the relief of the poor of such parish or place, by the said treasurer, 5 G. 4. c. 85. s. 25.

122. Every such discharged prisoner shall, at the last place of his or her receiving any allowance under this act, deliver up such pass to the overseer of the poor advancing such allowance, who shall transmit the same to the keeper of the prison from which such prisoner shall have been discharged; and if there be indorsed upon such pass, or upon the cover thereof, the words "pass of a discharged prisoner," and the said pass be sent without a cover, or in a cover open at the sides, and without any paper or thing inclosed therein, and without any writing other than the matter of such pass and than the superscription upon the same, or upon the cover thereof, such pass shall be charged with the usual rate of postage at the post-office of the town or place from which it shall be so sent, but the amount of the said postage shall be remitted and returned to the keeper of such prison on his producing such pass to the postmaster of the town or place to which such pass shall be sent as aforesaid; provided that such keeper shall have first signed the declaration contained in the schedule to this act annexed, and that such declaration shall have been attested by one of the visiting justices of such prison, in the manner prescribed in the said schedule, 5 G. 4. c. 85. s. 26.

123. Nothing in this act contained shall extend to the royal hospital of Bethlehem and prison of Bridewell, nor to the King's Bench or Fleet pri-

son, nor to the prison of Marshalsea or palace courts, nor to the general penitentiary at Milbank, nor to the general penitentiary at Gloucester, 5 G. 4. c. 85. s. 27.

124. To facilitate in those counties which are divided into ridings or divisions, the execution of an act of the last session of parliament, for consolidating and amending the laws relating to the building, repairing, and regulating of certain gaols and houses of correction in Eng. and Wa., 5 G. 4. c. 12. [PUBLIC CLAUSE, s. 17. AMD. 5 G. 4. c. 85. s. 21.]

125. Whereas by 4 G. 4. c. 64. intituled, *An Act for consolidating and amending the laws relating to the building, repairing, and regulating of certain gaols and houses of correction in Eng. and Wa.*; it was (amongst other things) enacted [s. 2. pl. 21.], That there should be maintained at the expence of every county in Eng. and Wa., one common gaol, and that the regulations and provisions contained in the said act should extend, in manner therein mentioned, to every such gaol: And whereas in certain counties in Eng. there are distinct commissions of the peace for the several ridings and divisions into which such counties are divided, and distinct courts of sessions of the peace are holden for each of such ridings and divisions respectively, and in such counties there are no courts of general or quarter sessions holden for the whole county at large, in consequence whereof the provisions and regulations of the said act cannot in such counties be carried into execution: For remedy thereof, and in order to extend to such counties all the benefits of the said act; be it enacted, That in every county divided into ridings or divisions, having distinct commissions of the peace, there shall be held from time to time a court of sessions for the gaol of such county, of which court all the justices of the peace of every riding and division of such county shall be members; and any two of such justices shall be able to hold such court; and such court shall possess and exercise all the powers and authorities respecting the common gaol of such county, and all matters relating thereto, which are in and by the said recited act vested in the court of general or quarter sessions of the peace for any other county of Eng.; and the justices of the peace for each of such ridings and divisions are hereby authorized as fully and effectually to perform and execute all the provisions and regulations of the said recited act, with respect to such county gaol, as justices of the peace for the county are in any other county of Eng. authorized to do with respect to the gaol of their respective counties; and the said court of gaol sessions is hereby empowered to transact and do, within the counties so divided, all such matters and things appertaining to the authority of justices of the peace in sessions assembled, with respect to the county gaol, as are in other counties capable of being done by justices of the peace in their general or quarter sessions assembled; and where by the said act any thing is ordered to be done at any general or quarter sessions, or at any adjournment thereof, or at any subsequent general or quarter sessions or adjournment thereof, respecting the county gaols, then such things may be done at such gaol sessions, or at any adjournment thereof, or at one or more subsequent gaol sessions, in such way, and with such public notices as in the said recited act they are ordered or directed to be done by the general or quarter sessions or adjournment thereof, 5 G. 4. c. 12. s. 1.

126. The sheriff of every county so divided into ridings or divisions shall, within fourteen days next after the passing of this act [23d March, 1824], by notice to be published in the *London Gazette*, and in some of the public newspapers most usually circulated within his county, summon the justices of each of the ridings or divisions into which the same is divided, to meet at some place in or near the county gaol, to be by him specified in such notice, and at a time not exceeding one month after the first publication of such notice, and there to form a court of sessions for the county gaol, for the purpose of carrying into execution the regulations and provisions of the said recited act and of this act; and the said court being so constituted shall proceed to elect a chairman and a clerk; and the said court, and the chairman thereof, shall proceed to execute all those matters and things which were by the said recited act directed to be done by the court of quarter sessions of the peace held at Michaelmas next after the passing thereof, and by the chairman of that court, and to do all such other matters and things, as may be necessary or proper in regard to the county gaol, 5 G. 4. c. 12. s. 2.

127. The clerk of the gaol sessions shall continue in his office until another shall be elected in his stead by the court of gaol sessions, and shall with respect to the said recited act and this act, have and enjoy all the powers vested by the said recited act in the clerk of the peace of any county, 5 G. 4. c. 12. s. 3.

128. The clerk of the gaol sessions shall, on receiving a precept commanding him so to do, signed by any two justices of the peace acting for any of the ridings or divisions of the county, summon the justices

to meet in a court of gaol sessions, by a notice to be published at least twice in some of the public newspapers most usually circulated in the county, which notice shall declare the day, hour, and place at which such court is to be held; and also that the said clerk, if the court of gaol sessions shall be dissolved without adjournment, or shall adjourn for a longer time than three calendar months, shall by a like notice, to be issued of his proper authority, without any precept in that behalf, summon a court of gaol sessions to be held within three calendar months next after such dissolution or last adjournment, 5 G. 4. c. 12. s. 4.

129. The sessions for the county gaol shall be held in some place in the gaol, or within one mile thereof, unless there shall be special reasons for the contrary, which shall be expressed in the precept to be directed to the said clerk as aforesaid; and if it shall be held in the gaol, or within such distance thereof as aforesaid, all matters done thereat touching the county gaol shall be legal, though the sessions be held in some place not within the county, 5 G. 4. c. 12. s. 5.

130. The court of gaol sessions shall also elect a treasurer of the monies applicable to the repair of the county gaol, who shall not be the clerk of the said court; and the said treasurer shall receive and pay all monies to be raised for the repair of the county gaol, or to be disbursed by order of the court, and shall give discharges for the monies received, and apply the same as by such court shall be ordered, and shall keep a distinct account of such monies received and paid, and shall from time to time, when called on by the said court, account upon oath, if required, for all monies so by him received, and deliver in all vouchers respecting the same; and the said court shall from time to time appoint such salaries to such clerk and treasurer respectively as they shall think fit, to be paid out of the monies aforesaid; and such treasurer shall give such security for the faithful performance of his duty, as the court of gaol sessions shall direct, 5 G. 4. c. 12. s. 6.

131. Whereas it is expedient, that all the expences incurred respecting any county gaol, where the county is so divided as aforesaid, whether arising out of the provisions of the said recited act or of this act, or otherwise, should be discharged out of the county rates; and it is necessary to fix the proportions in which the several ridings or divisions shall contribute to such expences; and it may also be necessary from time to time to vary the said proportions: be it therefore further enacted, That where in any such county there are, at the time of passing this act, any fixed proportions in which such expences are or have been paid and borne, such proportions shall continue to be acted on, and the contributions shall be paid accordingly, till some alteration shall be made therein by the court of gaol sessions; and that where there are now no such fixed proportions, the said court shall forthwith fix the proportions in which the contribution is to be made; and the said court shall also have power and authority to alter the said proportions from time to time; provided that no such alteration shall be made, unless the intention of making such alteration shall be expressed in the notice whereby the court is summoned, and shall be published for one month at the least before the court shall be held, 5 G. 4. c. 12. s. 7.

132. When the court of gaol sessions shall order an alteration to be made in the proportions in which the ridings or divisions of the county are to contribute towards the expences of the county gaol, or shall negative a proposition for making such alteration, and any riding or division shall be dissatisfied therewith, it shall be lawful for the clerk of the peace of such riding or division, being thereunto authorized by an order of the court of quarter or gaol sessions of such riding or division, to apply to the justices of assize of the last preceding circuit, or of the next succeeding circuit, or to one of such justices, who shall by writing under their or his hands or hand nominate a barrister at law, not having any interest in the question, to arbitrate between the ridings or divisions; and such arbitrators shall summon the several clerks of the peace of the ridings or divisions interested in the matter in dispute to appear before him, at a time to be by him appointed, and there to produce all information touching the matter in dispute; and such arbitrator may, if he shall see fit, adjourn the hearing from time to time, and require all such further information to be afforded by either of the parties as shall appear to him meet and necessary; and shall, by his award in writing, determine the proportions in which such ridings or divisions shall contribute towards the said expences; and his award shall be final and conclusive between the parties for ten years, and until further order shall be made thereon by the court of gaol sessions; and such arbitrators shall also assess the costs of the arbitration, and shall direct by whom and out of what fund the same shall be paid, 5 G. 4. c. 12. s. 8.

133. Whereas by stat. 5 G. 4. c. 12. s. 8. provision is made for settling by arbitration disputes between ridings and divisions, as to the proportions in which they shall contribute to the expence of the county gaol, but by reason of some verbal inaccuracies in the said provision there may be some difficulty in acting thereon: it is enacted and declared, That the clerk of the peace may be authorized to apply to the justices of assize for the nomination of an arbitrator under stat. 5 G. 4. c. 12. by an order of the court, or quarter or general sessions of the riding or

division; and that one arbitrator shall be competent to exercise all the powers and authorities given to the arbitrator or arbitrators by the same act; and that such arbitrator shall assess the costs of the arbitration, and direct by whom and out of what fund the same shall be paid, 5 G. 4. c. 85. s. 21.

134. When and so often as the court of gaol sessions shall find it requisite to raise money for the purposes of the said recited act or of this act, they shall make an order accordingly, and their clerk shall forthwith transmit a copy of such order, signed by the chairman, together with the amount of the sum of money to be paid by virtue of it, according to the then existing proportions, by each riding or division, to the treasurers of the several ridings or divisions of the county; which treasurers shall forthwith out of the monies in their hands, or if those monies shall be insufficient, then so soon as sufficient monies shall come to their hands, pay the sum required to the treasurer of the county gaol, and take his receipt for the same, 5 G. 4. c. 12. s. 9.

135. When the monies necessary to be raised for the purposes of the said recited act or of this act shall exceed one half of the ordinary aggregate amount of all the annual assessments for the rates of the several ridings or divisions of any such county, taken on an average of all such rates for the last seven years preceding, the court of gaol sessions may and is hereby authorized to mortgage all the rates of such county, by such instrument, and in such ways and means, and under such provisions of repayment, and with the same power of assignment, as in the said recited act are enacted respecting the mortgage of any county rates therein mentioned, 5 G. 4. c. 12. s. 10.

136. The court of gaol sessions shall and is hereby required to charge all the rates upon the several ridings and divisions of the county, in the same manner and for the same purposes as in and by the said recited act the justices in their general or quarter sessions are authorized and required to charge the rates of any county having one rate for the whole; and all the ways, means, and methods by the said recited act directed and allowed, as to the repayment of monies borrowed and the interest thereof, and the accounts respecting the same, shall be kept and observed by the court of gaol sessions, respecting the monies borrowed on account of the gaol of any county so divided as aforesaid; provided that all the monies to be raised on the several ridings or divisions of any such county, for repaying money borrowed or the interest thereof, shall be raised in the same proportions as other monies for the purposes of the said recited act or of this act shall be raised at the time of such money being so raised, 5 G. 4. c. 12. s. 11.

137. All reports and statements directed by the said recited act to be made to the general or quarter sessions, shall be transmitted on or before the first days of *Jan.*, *April*, *July*, and *Oct.*, to the clerk of the gaol sessions, and be by him laid before the court at the sessions, 5 G. 4. c. 12. s. 12.

138. The chairman of the first court of gaol sessions held after the first day of *Oct.* in each year, shall, within fourteen days after the determination of such sessions, or any adjournment thereof, transmit to one of H. M.'s principal secretaries of state such account of proceedings, and such copies of rules and regulations, as in and by the said act are ordered to be transmitted by the chairman of the *Michaelmas* quarter sessions, and shall at the same time, or within three months afterwards, transmit such plans as in the said act are mentioned, 5 G. 4. c. 12. s. 13.

139. The return directed to be made annually by the keeper of every prison, in the form contained in the schedule annexed to the said recited act, marked (B.), shall be annually made by the keeper of every gaol of every county so divided as aforesaid, and delivered to the clerk of the gaol sessions of such county, two weeks at least before the first day of *Oct.* in each year; and that such clerk shall on the said first day of *Oct.* prepare a general report founded on the report of the visiting justices and that of the chaplain, and on the certificates and reports of the keeper of the said gaol, and on any other report or document respecting the said gaol, and shall lay the same before the next gaol sessions; and such report, when approved by such sessions, shall be signed by the chairman thereof, and shall be by him, together with a copy of the schedule (B.), transmitted to one of H. M.'s principal secretaries of state, for the purposes in the said recited act mentioned, 5 G. 4. c. 12. s. 14.

140. If any matter or thing be done within any county so divided as aforesaid, for which any fine, penalty, or forfeiture is by the said recited act imposed and directed to be paid to the county treasurer, every conviction made in pursuance of the said recited act for such matter or thing, shall be made by one or more justices of the peace of the riding or division in which the offence is committed; and all forfeitures, fines, and penalties thereon accruing, shall be paid to the treasurer of the county gaol for the purposes of this act, 5 G. 4. c. 12. s. 15.

141. In the case of every county so divided as aforesaid, the common gaol of such county shall, for all purposes relative to the jurisdiction of justices of the peace, be deemed to be within and taken as part of each of the ridings and divisions of which such county is composed; and

every justice of the peace for each of such ridings and divisions shall have like power and authority to execute all things appertaining to his office therein, as in any part of the riding or division to which his commission specially extends, 5 G. 4. c. 12. s. 16.

142. To enable justices of the peace in *Eng.*, in certain cases, to borrow money on mortgage of the rate of the county, riding, or place, for which such justices shall be then acting, 6 G. 4. c. 40. [See as to applying to the commissioners for issuing exchequer bills for public works for these purposes, 4 G. 4. c. 63. *ante*, pl. 18.]

143. Whereas by 4 G. 4. c. 64. [ss. 54, 55. *ante*, pl. 84, 85.] justices of the peace in quarter sessions assembled have in certain cases authority from time to time to borrow and take up, on mortgage of the rate of the county or riding, or of the division of the county, or of the district, city, town, or place for which such quarter sessions are holden, such sum or sums of money as to the said justices shall appear necessary and expedient for carrying into effect the provisions of the said recited act, as far as regards the building or rebuilding, repairing or enlarging the gaol, or the house or houses of correction of the said county, riding, division, district, city, town, or place, in sums not less than fifty pounds, nor exceeding one hundred pounds each, [but see s. 5. of this act, *infra*, pl. 147.] and to charge the said rate with the interest of the money so borrowed, and with the payment of such further sum as shall ensure the payment of the whole of the sum so borrowed, within fourteen years from the time of borrowing the same: and whereas by 5 G. 4. c. 85. [s. 20. *ante*, pl. 86.] justices of the peace in quarter sessions assembled are, for the purpose of facilitating the reduction of the rate of interest, in like manner empowered, in the cases therein mentioned, to borrow on mortgage of the said rate any sum or sums of money, not exceeding in the whole the principal sum of money that may then be outstanding on the securities theretofore granted under the provisions of the said recited act, and therewith to discharge the whole or any part of the money for which such securities shall have been given: and whereas by 48 G. 3. c. 96., intituled, *An Act for the better care and maintenance of lunatics, being paupers or criminals, in Eng.*, justices of the peace in quarter sessions assembled have authority, in manner set forth in the said act, [viz. ss. 8, 9. *Dig. tit. IDIOT AND LUNATIC*, pl. 71, 72.] to borrow and to take up, on mortgage of the county rate, such sums as to them or the major part of them shall appear to be necessary and expedient for the purpose of carrying into effect the provisions of the said recited act: and whereas it may be expedient for the purpose of facilitating the reduction of the rate of interest on money borrowed in like manner, but under the provisions of any act or acts other than the said recited acts or either of them, that the justices of the peace should have power to borrow on mortgage of the said rate any sum or sums of money not exceeding in the whole the principal sum of money that may then be outstanding, on any securities so granted under any such act or acts other than the said recited acts or either of them, and therewith to discharge the whole or any part of the money for which such last-mentioned securities shall have been given: and whereas it may enable justices of the peace, when at any time hereafter they shall treat with any person or persons for the loan of any sum or sums of money to be secured as directed by the said recited acts or either of them, or by any other such act or acts as aforesaid, to contract for such loan or loans upon terms more advantageous to the county, riding, division, district, city, town, or place for which such justices shall be then acting, than at present are likely to be obtained, if such justices have power so as aforesaid to borrow any such sum or sums of money, and therewith to discharge the security or securities held by any person or persons who shall be desirous that such security or securities so held, by him, her, or them, shall be in whole or in part paid off and discharged; it is enacted, That whenever it shall appear to the justices of the peace, assembled at any general or quarter sessions to be holden for any county, riding, division, district, city, town, or place, for which any debt or debts shall have been contracted under the provisions of 4 G. 4. c. 64. and 5 G. 4. c. 85.,

or of either of them, or of 48 G. 3. c. 96., or of any other act or acts, and which debt or debts shall be then remaining due in whole or in part, that advantage or convenience may arise to such county, riding, division, or place, from paying off the same, or any part thereof, and that whenever any person or persons holding any such security or securities shall wish and desire that the security or securities so held by him, her, or them, shall be paid off and discharged, it shall be lawful for the justices so assembled, if they shall think fit, to borrow on mortgage of the rate of the county, riding, division, district, city, town, or place for which such general or quarter sessions shall be holden, by instrument in the form directed by 4 G. 4. c. 64. [viz. Sch. (C.)], any sum or sums of money not exceeding in the whole the principal sum of money that may then be outstanding on the securities thereto granted, and therewith to pay off and discharge the whole or any part of the money for which such securities shall have been given: provided always, that it shall not be lawful to apply any portion of the money to be borrowed under the provisions of this act, for any purpose other than the payment and discharge of the whole or part of the principal sum then due, on the securities granted as aforesaid: provided also, that the money so to be borrowed, shall be borrowed on such terms and under such conditions as shall in no way interfere with or prevent the full payment and discharge of the money borrowed under the provisions of this act, or of any other act or acts, within fourteen years from the time or times that the security or securities so to be paid off and discharged with the money borrowed under the provisions of this act shall have been so granted as aforesaid; and so that the rate to be raised in such county, &c. shall within fourteen years from the time when the money was originally borrowed, be discharged and released from all securities which shall have been given for the due discharge of such debt, 6 G. 4. c. 40. s. 1.

144. Whenever the justices assembled as aforesaid shall have determined that the whole or any part of the principal sum so outstanding as aforesaid shall be paid off and discharged, they are hereby required to direct that the clerk of the peace shall give notice of such their determination to the person or persons holding such security or securities, as the said justices shall have so determined to be paid off and discharged; and whenever any person or persons shall wish and desire that the security or securities so held by him, her, or them, shall be paid off and discharged, such person or persons shall give to the justices so assembled as aforesaid notice in writing of such his, her, or their wish and desire: provided always, that no such security or securities shall be so paid off and discharged until after the expiration of six months from the day on which such notice or notices shall have been so given, 6 G. 4. c. 40. s. 2.

145. The delivery of such notice of the clerk of the peace at the house or houses, or at the usual place or places of residence of the person or persons holding such security or securities as shall have been determined as aforesaid to be paid off and discharged, shall be taken and deemed to be a good and sufficient service of such notice, 6 G. 4. c. 40. s. 3.

146. All interest payable on any security ordered to be paid off and discharged, shall cease on the day specified in such notice, as being the day on which such security is to be paid off and discharged; provided, that every person upon whom such notice shall have been so served as aforesaid, and every person whose security shall in conformity to his or her wish, notified as aforesaid, have been ordered to be paid off, shall be entitled, upon application made at any time after the expiration of the said six months to the treasurer of the county, by self or attorney, to receive the principal sum for which such security shall have been granted, together with all interest due thereon, 6 G. 4. c. 40. s. 4.

147. Whereas inconvenience and unnecessary expence is occasioned by justices of the peace not being authorized to borrow and take up, on mortgage of the rate of the county or riding, or of any division of the county, or of the district, city, town, or place, such sum or sums as may be required for carrying into effect the provisions of 4 G. 4. c. 64., and 5 G. 4. c. 85., in sums exceeding one hundred pounds each; it is enacted, That so much of the said recited acts as directs that such sum or sums of money so to be borrowed and taken up shall be borrowed and taken up in sums not exceeding one hundred pounds each, be repealed, 6 G. 4. c. 40. s. 5.

SCHEDULES

to which 4 G. 4. c. 64. and 5 G. 4. c. 85. refer.

SCHEDULE (A) of 4 G. 4. c. 64. [See ss. 1. 5. 10. 14., pl. 20. 24. 31. 35.]

List of Districts, Cities, Towns, and Places, in *Eng.* and *Wa.*, to which this Act shall extend, in addition to Counties at large.

Bristol.	Kingston-upon-Hull.	Norwich.
Canterbury. (a)	Leicester.	Nottingham.
Chester.	Litchfield. (a)	Portsmouth.
Coventry.	Lincoln. (a)	Worcester.
Exeter.	Liverpool.	York.
Gloucester.	Newcastle-upon-Tyne.	

(a) Repealed as to these places, 5 G. 4. c. 85. s. 9.

SCHEDULE (C.) of 4 G. 4. c. 64. [See s. 54. pl. 84.]

Form of Mortgage and Charge upon the County Rate for securing the Money borrowed.

'We, A. B., one of H. M.'s justices of the peace, and chairman of the court of quarter sessions of the peace holden at — the — day of — for the

county, &c. of — [as the case may be], C. D. and E. F., esquires, two other of H. M.'s justices of the peace acting for the said county, &c. and assembled in the said court, in pursuance of the powers to us given by an act passed in the — year of the reign of H. M. King George the Fourth, intituled, &c. [insert the title of this act], do hereby, in open court, mortgage and charge all the rates to be raised within the said county, &c. [as the case shall be], under the description of county rates, by the laws now in being, with the payment of the sum of —, which G. H. of — hath proposed and agreed to lend, and hath now actually advanced and paid towards defraying the expences of building, repairing, &c. [as the case shall be], the gaol, bridewell, or house of correction at — [as the case shall be], for the said county, &c.; and we do hereby confirm the same unto the said G. H., his executors, administrators, and assigns, for securing the payment of the sum of —, and interest for the same after the rate of — per centum per annum, and do order the treasurer for the said county, &c. or other person [as the case shall be], to pay the interest of the said sum of — half-yearly, as the same shall become due, until the principal shall be discharged, pursuant to the directions of the said act.

SCHEDULES (B.) of 4 G. 4. c. 64. [See ss. 22. 24. pl. 44. 46.] — (A.) of 5 G. 4. c. 85. [See s. 7. pl. 117.]

Note.—The Schedule A. of 5 G. 4. c. 85. is similar to Schedule B. of 4 G. 4. c. 64. except the omission of the word "weekly," in Question No. 23, and also the total omission of Questions No. 28 & 29, and the consequent alteration in the Numbers of the subsequent Questions.

Form of Annual Return to Secretary of State.

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.												
Number of Prisoners the Prison is capable of containing in separate Sleeping Cells.	Number of Prisoners the Prison is capable of containing where more than One Prisoner sleeps in One Cell.	Total Number of Prisoners.		Number of Debtors.		Number of Misdoers.		Number of Felons.		Number of Prisoners committed in the Course of the Year.	Number of Tried Prisoners.	Number of Untried Prisoners.	Number of Prisoners above 17 Years of Age.	Number of Prisoners under 17 Years of Age.	Greatest Number of Prisoners at One Time.	Number of Prisoners who have been committed before.				Prisoners employed.	Prisoners not employed.	Punishments for offences within the Prison.				No. of Solitary Cells and of Apartments below Ground.		Cases of Sickness and Death.	
		Mich. 18.	Mich. 18.	Male.	Female.	Male.	Female.	Male.	Female.							Male.	Female.	Male.	Female.			Male.	Female.	Once.	Twice.	Three times.	Four and more.	Whippings.	In Irons.
																		Note.—The total of the Columns 4, 5, and 6, will be equal to the whole number of prisoners in the Prison, expressed in the Second Division of the Column No. 3.; and the Aggregate of Columns 5 and 6 will be equal to that of Columns 8 and 9, and to that of Columns 10 and 11.											
19.—Whether Common Gaol, House of Correction, or Bridewell?																													
20.—Under whose Jurisdiction and Superintendence?																													
21.—Number of officers, and how appointed?																													
22.—Number of Classes, Wards, or Divisions, Work Rooms, Day Rooms, and Airing Yards, and whether the same can be extended or increased?																													
23.—Dietary or other [Weekly] Allowance; and Weekly Cost per Head?																													
24.—Allowance of Clothing and Bedding, and Cost per Head?																													
25.—Description of Employment and Hard Labour?																													
26.—Hours of Labour and of Exercise?																													
27.—Amount of Earnings how applied, and in what proportion to each class of Prisoners, to the Officers of the Prison, and to the Fund applicable to the Maintenance of the said Prison?																													
[28.—Whether the Classification required by this Act has been observed? If not, For what Reasons; and what Measures have been taken to remedy this Defect?																													
29.—What Duties are performed by the Chaplain, what Provision made for Instruction, and whether Prisoners are supplied with Bibles and other Books?																													
30.—Attendance of the Surgeon, and whether separate Buildings or Apartments are provided for the Sick?																													
31.—Reasons for Non-employment of Prisoners, with reference to Column 15.																													
32.—Reasons for Punishments, by Solitary Confinement, by Whipping, or Irons.																													
33.—Is there any Insane Prisoner in Confinement? State his or her Name, Age, and for what Offence committed? How long has he or she been in Confinement? How long has he or she been Insane?																													
34.—General Observations.																													

Schedule (A) of 5 G.4. c.85. is like Schedule (B) of 4 G.4. c.64. *ante*.

SCHEDULE (B) of 5 G.4. c.85. s.23. *pl.* 119.

The King's Arms.

*Certificate, Route, and Description of discharged Prisoners, under the
5th George IV.*

CERTIFICATE.

‘Whereas by the act of parliament of the fifth *George* Fourth, cap. , prisoners discharged from prison may, upon application to the visiting justices of such prison, become entitled to certain allowances from the overseers of the poor of any place through which they may pass on their way to the places of their settlement, under authority of a route and certificate of two such visiting magistrates: and whereas — corresponding in appearance, and the account he [*or she*] gives of himself [*or herself*] to the description after mentioned, has come before us, two of the visiting justices of the county gaol [*or house of correction*] at — and is deemed by us to be a fit object to receive the regulated allowances under the said act; this is to certify the same, and to require the overseers of the poor of the places mentioned in the route, to issue to the said discharged prisoner the allowance specified in the said route, as required by the said act of parliament: provided that the discharged prisoner produces the said route himself [*or herself*] and that the description corresponds with his [*or her*] appearance, and agrees with the account he [*or she*] gives of himself [*or herself*] and the number of children he [*or she*] has with him [*or her*]. Given under our hands and seals, this — day of —

{ Seal and Signature of
the Magistrate.

This pass to be in force for — days from the date hereof.

N.B.—To prevent frauds, all parish officers are not to give the allowances granted by the aforesaid act under the authority of any other form of pass than this, which is prescribed in the schedule of the act of parliament aforesaid.

Route for — from — in the county of — to — in the county of —.

A.	B.	C.	D.	E.	
Names of Places through which the discharged Prisoner is to travel.	Rate per Mile for the discharged Prisoner and Children, if any.	Distance of Place where Relief is advanced, to that where it is to be continued.	Sum paid by each Overseer.	Signature of each Overseer, paying the discharged Prisoner.	Remarks.
Total amount paid.....£					

Directions for filling up these Passes:

The magistrate is to fill up the description, and to insert in the column marked A. the names of the places through which the discharged prisoner is to travel; and in the column marked B. (in words) the allowance per mile which he (or she) is to receive; and also to write the number of children in words, in the proper column in the third page; and when there are no children, to strike out that part of the form. In case of any mistake the magistrate should make the necessary alteration with a pen, and write his name opposite thereto.

The overseer of the poor will insert in the column marked C. the distance of the place to which he advances the allowance; in that marked D. the sum he gives the discharged prisoner; and in that marked E. will sign his own name, specifying the parish for which he acts. He is also to take before a magistrate any person that presents a pass in which there are alterations other than with the pen, as above directed.

Description of the discharged Prisoner.

[illegible]

Memorandum for the Guidance of the Overseers of the Poor, Treasurers of Counties, and Keepers of Prisons.

Each overseer is to take a receipt from the discharged prisoner, signed with his (or her) name or mark, and he is to be reimbursed the money paid, by the treasurer of the county in which he serves the office of overseer, on giving him a receipt for the same, together with the discharged prisoner's receipt. The overseer who makes the last advance to carry the discharged prisoner to his place of residence, is to send the certificate, route, and pass, to the keeper of the prison from which the prisoner was discharged; and the said keeper shall make and sign a declaration in the form herein next after annexed; which said declaration shall be attested by one visiting justice of the said prison.

Declaration of the Keeper of the Prison.

I — keeper of the county gaol [or keeper of the house of correction or prison] at — in the county of — do declare that this pass hath come to me without cover [or in a cover open at the sides], and without any paper or thing inclosed therein, and without any writing other than the matter of such pass, and than the superscription upon the same or upon the cover thereof.

(Signed) *A.B.*

I — one of the visiting justices of the said prison do attest, that after due examination I do believe the aforesaid declaration to be true. Dated this — day of —.

C. D.

GAUGING.

(STATUTES *repealed.*)

1. The contents of a ton of wine and the gauging thereof, 31 *Ed. 3. stat. 1. c. 5.* REP. 5 *G. 4. c. 74. s. 23.*
2. All vessels of wine, honey, oil, and other liquors brought into the realm shall be gauged, 4 *R. 2. c. 1.* REP. 5 *G. 4. c. 74. s. 23.*
- 3 Vessels of wine, oil, and honey shall be gauged, 18 *H. 6. c. 17.* REP. 5 *G. 4. c. 74. s. 23.*
4. To ascertain the contents of vessels of wine and oil, 1 *R. 3. c. 13.* REP. 5 *G. 4. c. 74. s. 23.*

HIDES AND SKINS.

(STATUTES repealed.)

1. To repeal so much of an act passed in the 2d year of King James the First [viz. 1 Ja. 1. c. 22.] as prohibits the use of horse hides in making boots and shoes, and for better preventing the damaging of raw hides and skins in the flaying thereof, 39 & 40 G. 3. c. 66., EXPLAINED and AMENDED 46 G. 3. (U. K.) c. 53., both acts EXTENDED and AMENDED 43 G. 3. c. cvi., which last was repealed 48 G. 3. c. lxxi. [Stat. Dig. this title, pl. 8-36.]; all these acts REPEALED, except so far as they repeal other acts, 5 G. 4. c. 57.

(STATUTE in force.)

2. Recital of 48 G. 3. c. 60. s. 7. [Stat. Dig. tit. LEATHER, &c. pl. 32.] and that the penalty thereby imposed was insufficient, it is therefore enacted, That from and after 5th July 1812, if any person using or carrying on the trade or business of tanning of leather by himself or by any other person, shall by himself or by any other person, during the time that he shall so use or carry on the trade or business of tanning, use, exercise, or in any manner carry on the trade or business of a shoemaker, currier, leather-cutter, or other artificer, exercising the cutting or working of leather, the person so offending shall, over and besides the said recited penalty, by the said act imposed, forfeit and lose the further sum of 100*l.*, to be sued for, recovered, levied and mitigated as any fine, penalty or forfeiture, is or may be sued for, recovered, levied or mitigated, by any law of excise, or by action of debt, bill, plaint, or information, in any of H. M.'s courts of record at Westminster, or in the court of exchequer at Edinburgh, and that one moiety thereof shall be to H. M., and the other moiety to him who shall inform, discover, or sue for the same, 52 G. 3. c. 94. s. 7.

3. To repeal the additional duties and drawbacks on leather, granted and allowed by 52 G. 3. c. 94. and 56 G. 3. c. 110., and to grant other duties in lieu thereof, and to secure the duties on leather, 3 G. 4. c. 83.

4. The duties granted by 52 G. 3. c. 94. Sch. (A.) on hides and skins, and the drawbacks on hides and skins granted by 56 G. 3. c. 110. s. 2. repealed, and new drawbacks given, 3 G. 4. c. 83. ss. 1, 2, 3.

5. Drawbacks to be paid and allowed as drawbacks hereby repealed were; and former excise regulations for the due allowance of the same in force, 3 G. 4. c. 83. s. 4.

6. If any tanner, tawer, or dresser of hides and skins in oil, or maker of vellum or parchment, shall remove or conceal any hide or skin, or part or piece of any hide or skin, or any vellum or parchment, with intent to evade the duty of excise chargeable thereon, he shall forfeit 200*l.*, to be sued for, mitigated, recovered, applied, and accounted for as other excise penalties may be, 3 G. 4. c. 83. s. 5.

7. Before any hides or skins, or pieces of hides or skins, or any vellum or parchment, shall be weighed or counted by any officer of excise and charged with duty, or stamped or marked to denote such charge, the

tanner, tawer, or dresser of hides &c. in oil, desirous to have the same charged, &c. shall give notice in writing to the proper officer, specifying the day and hour on which, and the number of hides and skins, parts or pieces of hides or skins, and skins or pieces of vellum or parchment, which he shall desire to be weighed or counted, and charged with, and stamped or marked to denote the charge of duty, and shall deliver every such notice to the proper officer, 24 hours at the least, if the entered premises of such trader where such goods are to be charged are within a market town, and 48 hours at the least if without a market town, before the hour for weighing or counting, and shall, before such weighing or counting shall be begun, place and produce all the hides and skins, parts and pieces of hides and skins, vellum and parchment, specified in such notice to be weighed or counted, and charged with duty, and stamped or marked as aforesaid, in an entered room by themselves, and in which no other hides or skins, or parts or pieces of hides or skins, vellum or parchment, shall then be, and shall from that time continue all such hides, &c. alone in such room, for the space of 24 hours next after the same shall have been charged with duty, or stamped or marked as aforesaid, unless the same shall have been weighed or counted, or be sooner re-weighed or re-counted by a surveyor or supervisor, and shall not, during the time aforesaid, conceal, or remove any such hide or skin, or any such part or piece of any hide or skin, or any such vellum or parchment so weighed or counted, and charged with duty, or stamped or marked, out of such room, or bring into such room any other hide or skin, or part or piece of any other hide or skin, or any other vellum or parchment, upon pain of forfeiting 200*l.*, to be sued for, mitigated, recovered, applied, and accounted for as any other penalty under any law of excise may be, 3 G. 4. c. 83. s. 6.

8. And it shall not be lawful for any currier or other person, not being an entered tanner, to use sumack in currying of any hide or skin, or in the preparation or dressing of any leather, except only for the purpose of colouring leather for making boot-tops or saddles, upon pain of forfeiting 100*l.*, to be recovered as any other penalty under any law of excise may be, together with the forfeiture of all such sumack, hides, skins, and leather, which may be seized by any officer of excise, 3 G. 4. c. 83. s. 7. [See a nearly similar clause, 56 G. 3. c. 110. s. 5. Stat. Dig. tit. LEATHER, &c. pl. 31.]

HOPS.

To prevent the malicious cutting of hop-binds, 6 G. 2. c. 37. s. 6. [Stat. Dig. this tit. pl. 4, 5.], REP. and new punishment awarded, 4 G. 4. c. 46. s. 1. see post, OFFENCE, &c.

HUE AND CRY.

For the following of hue and cry, 27 El. c. 13. [Stat. Dig. this tit. pl. 11.] AMD. 3 G. 2. c. 33. see post, MALICIOUS MISCHIEF.

IDIOT AND LUNATIC.

1. To amend several acts passed for the better care and maintenance of lunatics, being paupers or criminals, in Eng., 5 G. 4. c. 71.

2. Whereas 48 G. 3. c. 96. was passed, intituled, *An Act for the better care and maintenance of lunatics, being paupers or criminals, in Eng.*: and whereas 51 G. 3. c. 79. was passed, intituled, *An Act to amend an act of the 48th year of His present Majesty, for the better care and maintenance of lunatics, being paupers or criminals, in Eng.*: and whereas 55 G. 3. c. 46. was passed, intituled, *An Act to amend an act passed in the 48th year of the reign of His present Majesty, intituled, 'An Act for the better care and maintenance of lunatics, being paupers or criminals, in Eng.'* [See all these acts, Stat. Dig. this title, pl. 59.]: and whereas 56 G. 3. c. 117. [Stat. Dig. this title, pl. 50.] was passed, intituled, *An Act to amend an act passed in the 39th and 40th year of the reign of His present Majesty, for the safe custody of insane persons charged with offences*: and whereas 59 G. 3. c. 127. [Stat. Dig. this title, pl. 107.] was passed, intituled, *An Act for making provision for the better care of pauper lunatics in Eng.*: and whereas it is expedient that the said acts should be amended; be it enacted, That no order or determination to be made at any meeting

of the visiting justices which shall be held under or by virtue of the said recited acts, or any of them, or this act, shall be made or entered into, unless the major part of the justices present at such meeting shall concur therein, nor unless due notice of such meeting shall have been previously given, according to the provision of the said recited acts, or according to the rules and regulations made by the visiting justices; and that all acts, orders, and proceedings, which by the said recited acts or any of them, or by this act, are directed to be had, made, done, or exercised by or before the said visiting justices, and all the powers and authorities by such acts or any of them, or by this act, vested in them generally, shall and may be had, made, done, and exercised by the major part of such justices present at the respective meetings to be held by virtue of the said recited acts and this act, the whole number present not being less than three; and all acts, orders, and proceedings, had, made, done, or exercised by or before such three visiting justices, shall have the same force and effect, and be binding and conclusive on all parties, to all intents and purposes whatever, and as fully and effectually as if the same were had, made, done, or exercised by or before the major part of all the said visiting justices so appointed, 5 G. 4. c. 71. s. 1.

3. And whereas doubts may arise in cases where two counties may

have united, or in cases where the justices of the peace of any county may have united with the subscribers to any institution for the care of lunatics, established by voluntary contribution, for the purpose of erecting a lunatic asylum, whether the number of visiting justices or visitors of such asylum can from time to time be increased; be it further enacted, That it shall be lawful for the number of visiting justices, or visitors of such asylum, to be increased from time to time, notwithstanding the terms of any original agreement between such counties, or between such justices of any county and the subscribers to any such institution, due regard being always had in making such augmentation to the proportion originally established between such visiting justices or visitors as aforesaid; and any such additional number of visiting justices or visitors as may be agreed on shall be appointed in the same manner, and by the same authorities, as vacancies in the number of such visiting justices or visitors may be supplied by any law now in force, 5 G. 4. c. 71. s. 2.

4. In any case in which a lunatic or dangerous idiot, whose settlement, by reason of the lunacy of such person, cannot be ascertained, shall be by the order of two justices confined in any lunatic asylum, it shall be lawful for any two justices acting in and for the county in which such asylum shall be situated, at any time to examine into the legal settlement of such lunatic or dangerous idiot; and if satisfactory evidence can be obtained as to such settlement, it shall be lawful for such justices to adjudge the last legal settlement of such lunatic to be in such parish or place as may on such evidence appear to him to be the place of such legal settlement; and forthwith to make an order on the overseers of the poor of such parish or place to pay such weekly sum to the treasurer of such asylum as shall have been fixed by the visiting justices as a fit rate for the maintenance, medicine, clothing, and care of lunatics confined in such asylum, 5 G. 4. c. 71. s. 3.

5. Provided, that if the overseers of the poor of any parish or place shall feel themselves aggrieved by any such order as aforesaid, it shall be lawful for them to appeal, at the next general quarter sessions of the peace for the county in which such lunatic asylum shall be situated; and the justices at such sessions shall hear and determine the matter of such appeal, as in cases of appeals against orders of removal, and award such costs to either party as to them shall seem just and reasonable; and in case the settlement of any lunatic respecting whom such order shall have been made, shall be then and there determined not to be in the parish or place on whom such order shall have been made, then such costs shall be paid by the treasurer of the county or united counties at whose expence such lunatic asylum shall have been erected, 5 G. 4. c. 71. s. 4.

6. And whereas it is by the said recited acts enacted, that the visiting justices shall from time to time fix a certain weekly rate to be paid for each person confined in every such asylum as is authorized by the said recited acts to be established, which rate may be sufficient to defray the whole expence of the maintenance and care, medicines and clothing requisite for such person, and the salaries of the officers and attendants: and whereas it is by the 48 G. 3. c. 96. ss. 17. 24., and 55 G. 3. c. 46. s. 7. [Stat. Dig. this title, pl. 80. 89. 90.] enacted, That the justices acting for the division of the county where such parish for which any pauper lunatic has been directed and conveyed to such lunatic asylum shall be situated, shall from time to time make order on the overseers of such parish, for the payment of all reasonable charges of conveying such poor person to such asylum, and for the weekly payment to the treasurer thereof of such sums as the visiting justices of such asylum shall have fixed: and whereas it is expedient that better provision should be made for the recovery of such sums; be it therefore further enacted, That if the overseers for the time being of such parish, upon whom such order shall be made, shall for the space of 20 days after due notice of such order refuse or neglect to pay the sums so ordered to be paid, the same shall be recovered by distress and sale of the goods of such overseers so refusing or neglecting, or of any of them, by warrant under the hands and seals of any two justices of any such respective counties, 5 G. 4. c. 71. s. 5.

7. All provisions, directions, clauses, matters, and things whatever, in this act or any of the said recited acts contained, relating to counties, shall extend and be construed to extend to all ridings, divisions, cities, towns, liberties, and places possessing separate jurisdictions; and if relating to parishes, shall extend to all villages, townships, and places maintaining their own poor, as fully and amply as if they were severally and respectively repeated in every such provision, direction, and clause, and with relation to any such matter or thing, 5 G. 4. c. 71. s. 6.

8. For limiting the time within which inquisitions of lunacy, idiotcy, and *non compos mentis*, may be traversed, and for making other regulations in the proceedings pending a traverse, 6 G. 4. c. 53.

9. Whereas by 2 & 3 Ed. 6. c. 8. s. 6. [Stat. Dig. tit. ESCHEAT, &c. pl. 25.] it was enacted, that if any person should be untruly founden

lunatic, idiot, or dead, every person and persons grieved by any such office or inquisition, should and might have his or their traverse to the same immediately, or after, at his or their pleasure, and proceed to trial therein, and have like remedy and advantage as in other cases of traverse upon untrue inquisitions or offices founden: and whereas great inconvenience hath arisen from there being no time limited within which inquisitions or offices finding persons lunatic, idiot, or of unsound mind, must be traversed; and it is expedient that some time should be limited for that purpose: and whereas the care and commitment of the custody of the persons and estates of persons found lunatic, idiot, or of unsound mind, have been usually entrusted, by virtue of the King's sign manual, to the lord chancellor, lord keeper, or lords commissioners for the custody of the great seal of the U. K. and of Ire. respectively; be it therefore enacted, That where any inquisition has, before the passing of this act [22d June 1825], been returned into the high court of chancery, by which any person hath been found lunatic, idiot, or of unsound mind, it shall be lawful for any person desiring to traverse such inquisition, or for any person desiring to oppose such traverse, to present a petition to the lord chancellor, lord keeper, or lords commissioners of the great seal of the U. K. and of Ire. respectively, or other person or persons entrusted as aforesaid, by virtue of the King's sign manual, before the end of Michaelmas term next after the passing of this act, praying that such traverse may be proceeded in and brought to trial; and where any person shall be desirous of traversing any such inquisition as aforesaid, which shall be returned into the said court of chancery after the passing of this act, a petition for that purpose shall be presented to the lord chancellor, lord keeper, or lords commissioners, or other the person or persons entrusted as aforesaid, within three calendar months, to be computed from the day of the return of such inquisition; and the said lord chancellor, &c. is or are hereby directed and required to hear and determine such petition; and shall, in every order to be made upon any such petition as aforesaid, limit a time, not exceeding six calendar months from the date of such order, within which the person desiring to traverse as aforesaid, and all other proper parties, are to proceed to trial of the traverse to which such petition shall relate; and it shall also be lawful for the said lord chancellor, &c. in the case of every such traverse as aforesaid, upon the petition of any such person as aforesaid, to make an order that the person desiring to traverse as aforesaid, not being the party who has upon such inquisition been found lunatic, idiot, or of unsound mind, shall, within three weeks after the date of such order, give sufficient security to one of the masters in ordinary of the said court of chancery, and to the satisfaction of the same master, for all proper parties proceeding to the trial of such traverse as aforesaid, within the time to be for that purpose limited as aforesaid, 6 G. 4. c. 53. s. 1.

10. Every person having or who shall hereafter have right to traverse any such inquisition as aforesaid, who shall not present his or her petition for that purpose to the lord chancellor, &c. within the time herein-before limited, and applicable to his or her case, or who shall refuse or neglect to give such security as aforesaid, or who shall not proceed to the trial of such traverse within such time as shall be in that behalf limited or directed as aforesaid, and the heirs, executors, and administrators of every such person, and all others claiming or to claim by, through, or under him or her, shall be and are hereby absolutely barred of such right of traverse, unless the lord chancellor, &c. shall under the special circumstances of any particular case think fit, upon a petition being presented to him or them for that purpose, to allow such traverse to be had or tried after the time by this act limited; in all which special cases it shall be lawful for the said lord chancellor, &c. to make such orders as to him or them shall seem just, 6 G. 4. c. 53. s. 2.

11. Provided, That it shall be lawful for the said lord chancellor, &c. if he or they shall be dissatisfied with any verdict to be returned upon any such traverse as aforesaid, to order one or more new trial or trials thereon, as to him or them shall seem meet, and as is usual in cases of issues directed by the court of chancery, 6 G. 4. c. 53. s. 3.

12. Provided also, that it shall be lawful for the lord chancellor, &c. from time to time after the return of any such inquisition as aforesaid, and notwithstanding any petition or order which may be depending relating to a traverse of such inquisition, to make such orders relative to the custody and commitment of the person, and the commitment, management and application of the estates and effects of any person who shall or may have been found lunatic, idiot, or of unsound mind, by any such inquisition or inquisitions, as he shall think necessary or proper; and all acts, matters, and things which shall have been done by any person or persons appointed committee or committees of the persons or estates of such persons found or to be found lunatic, idiot, or of unsound mind as aforesaid, or by any other person or persons, shall be and are hereby declared to be as valid and effectual; and such committees and other persons respectively, their heirs, executors, and administrators, are hereby indemnified in respect of such acts, matters and things, from and against all actions, suits and proceedings, damages, costs, charges

and expences, to be brought, commenced, had or recovered by the person so found lunatic, idiot, or of unsound mind, his heirs, executors, or administrators, or any other person whomsoever, as fully and effectually as if such inquisition had not been traversable, but no further or otherwise, 6 G. 4. c. 53. s. 4. [As to the transfer of estates, stocks, &c. by trustees, mortgagees of lunatics, &c. see 6 G. 4. c. 74. tit. Courts (Chancery).]

INDEMNITY.

1. To indemnify such persons in the U. K. as have omitted to qualify themselves for offices and employments, and for extending the time limited for those purposes respectively, 6 G. 4. c. 3.

2. Whereas divers persons, who, on account of their offices, places, employments, or professions, or any other cause or occasion, ought to have taken and subscribed the oaths or assurance respectively appointed to be by such persons taken and subscribed in and by 1 G. 1. st. 2. c. 13., [Stat. Dig. tit. OATHS, pl. 66, 68, 70—87. SCOTLAND (Parliament), pl. 21.] intituled, *An Act for the further security of H. M.'s person and government, and the succession of the crown in the heirs of the late princess Sophia, being protestants; and for extinguishing the hopes of the pretended prince of Wales, and his open and secret abettors; or to have qualified themselves according to 15 C. 2. st. 2. c. 1. [Stat. Dig. tit. CORPORATIONS, pl. 8.], intituled, An Act for the well-governing and regulating of corporations; or according to 25 C. 2. c. 2., [Stat. Dig. tit. PAPIST, pl. 170—181.] intituled, An Act for preventing the dangers which may happen from popish recusants, by receiving the sacrament of the Lord's Supper, according to the usage of the church of Eng., and making and subscribing the declaration against transubstantiation therein mentioned; or according to 30 C. 2. st. 2., [Stat. Dig. tit. PARLIAMENT, pl. 66—74.] intituled, An Act for the more effectual preserving the King's person and government, by disabling papists from sitting in either house of parliament; or according to 8 G. 1. c. 6., [Stat. Dig. tit. QUAKER, pl. 2.] intituled, An Act for granting the people called quakers such forms of affirmation or declaration as may remove the difficulties which many of them lie under; or according to 9 G. 2. c. 26., [Stat. Dig. tit. OATHS, pl. 66, 68, 71—73, 88, 89.; PAPIST, pl. 166, 176.] intituled, An Act for indemnifying persons who have omitted to qualify themselves for offices within the time limited by law, and for allowing further time for that purpose; and for amending so much of an act passed in the second year of the reign of His present Majesty, as requires persons to qualify themselves for offices before the end of the next term or quarter sessions; and also for enlarging the time limited by law for making and subscribing the declaration against transubstantiation; and for allowing a further time for enrolment of deeds and wills made by papists; and for relief of protestant purchasers, devisees, and lessees; or according to 18 G. 2. c. 20., [Stat. Dig. tit. JUSTICES OF PEACE, pl. 28, 29, 32, 45.] intituled, An Act to amend and render more effectual an act passed in the fifth year of His present Majesty's reign, intituled, 'An Act for the further qualification of justices of the peace;' or according to 6 G. 3. c. 53. [Stat. Dig. tit. OATHS, pl. 66—69.] intituled, An Act for altering the oath of abjuration, and the assurance; and for amending so much of an act made in the seventh year of the reign of Her late Majesty queen Anne, intituled, 'An Act for the improvement of the union of the two kingdoms,' as, after the time therein limited, requires the delivery of certain lists and copies therein mentioned to persons indicted of high treason or misprision of treason; have, through ignorance of the law, absence, or some unavoidable accident, omitted to take and subscribe the oaths and assurance, and make and subscribe the declaration required by law, or otherwise to qualify themselves as aforesaid, within such time and in such manner as in and by the said acts respectively, or by any other act of parliament in that behalf made, is required, whereby they have incurred, or may be in danger of incurring, divers penalties and disabilities: for quieting the minds of H. M.'s subjects, and for preventing any inconvenience that might otherwise happen by means of such omissions, it is enacted, That all and every person or persons who, at or before the passing of this act [9th March 1825.] hath or shall have omitted to take and subscribe the oaths and declarations, or to receive the sacrament of the Lord's Supper, or otherwise to qualify him, her, or themselves, within such time and in such manner as in and by the said acts, or any of them, or by any other act of parliament in that behalf made, is required, and who, after accepting any such office, place, or employment, or undertaking any profession or thing on account of which such qualifications ought to have been had, and is required, before the passing of this act, hath or have taken and subscribed the said oaths, or made the declarations required by law, and also received the sacrament of the Lord's Supper according to the usage of the church of Eng.; or who, on or before the 25th March 1826, shall take and subscribe the oaths, declarations, and*

assurance respectively, in such cases wherein by law the said oaths declarations, and assurance ought to have been taken and subscribed, in such manner and form, and at or in such place or places, as are appointed in and by 1 G. 1. st. 2. c. 13., or by any other act or acts in that behalf made and provided; and also hath or have received, or shall, on or before the 25th March 1826, receive the sacrament of the Lord's Supper, according to the usage of the church of Eng., in such cases wherein the said sacrament ought to have been received, and hath or ought to have made and subscribed, or shall, on or before the said 25th March 1826, make and subscribe the said declaration against transubstantiation; and also hath or have made and subscribed, or shall, on or before that day make and subscribe the said declaration in the said statute made in 30 C. 2. st. 2., in such cases wherein the said declaration ought to have been made and subscribed, or to take and subscribe the oath directed by 18 G. 2. c. 20., in such cases wherein the said oath ought to have been taken and subscribed, in such manner as by the said act is directed, shall be and are hereby indemnified, and discharged from and against all penalties and disabilities, incurred or to be incurred for or by reason of any omission, previous to passing this act [9th March 1825], of taking or subscribing the said oaths or assurance, or receiving the sacrament, or making or subscribing the said declaration, or taking or subscribing the said oath, according to the above acts or any of them, or any other act or acts; and such person or persons shall be fully and actually recapacitated and restored to the same state as he, she, or they were in before such omission, and shall be deemed to have duly qualified him, her, or themselves according to the above-mentioned acts and every of them; and all elections of, and acts done or to be done by any such person or persons, or by authority derived from him, her, or them, shall be of the same force and validity as the same or any of them would have been if such person or persons respectively had taken the said oaths or assurance, and received the sacrament of the Lord's Supper, and made and subscribed the said declarations, and taken and subscribed the said oath according to the directions of the said acts and every or any of them; and that the qualification of such person or persons qualifying themselves in manner and within the time appointed by this act, shall be to all intents and purposes as effectual as if such person or persons had respectively taken the said oaths and assurance, and received the sacrament, and made and subscribed the said declaration, and taken and subscribed the said oath, within the time and in the manner appointed by the several acts before mentioned, 6 G. 4. c. 3. s. 1.

3. And whereas several persons well affected to H. M.'s government, and to the united church of Eng. and Ire., have, through ignorance of the law, neglected, or been, by sickness or other unavoidable causes, prevented from taking and subscribing the declaration, and from receiving the sacrament of the Lord's Supper, and delivering a certificate thereof, according to the directions of the act 2 Ann. (Ir.), intituled, *An Act to prevent the further growth of popery*; it is enacted, That all persons who have incurred any penalty or incapacity in the said recited act mentioned, by neglecting to qualify themselves according to the said act, shall be and are hereby indemnified, freed, and discharged from all incapacities, disabilities, penalties, and forfeitures incurred by reason of such omission or neglect as aforesaid; and that no act done by any of them, not yet avoided, shall be questioned or avoided by reason of such omission or neglect, but that all such acts shall be and are hereby declared to be as good and effectual, as if such persons respectively had taken and subscribed the said oath, and received the said sacrament, and delivered the certificate thereof, and made and repeated and subscribed the said declaration, at such time, place, and manner as in the said act is mentioned; any thing in the said act to the contrary notwithstanding: provided always, that such person or persons do and shall take and subscribe the said oaths, and make, repeat, and subscribe the said declaration, in such manner and form, and in such place or places respectively, as are directed and appointed by the said last recited act, on or before the 25th March 1826, 6 G. 4. c. 3. s. 2.

4. And whereas several persons have inadvertently, and without any corrupt or interested motives, acted as trustees in the execution of divers acts of parliament for the making or repairing of divers turnpike roads in Eng. without being possessed of the qualifications required respectively by the several acts of parliament under which such persons were appointed or elected to be trustees, and without having taken and subscribed the oaths or affirmations of their qualifications required by such acts respectively; it is enacted, That all persons who have incurred any penalty or incapacity mentioned in or inflicted by any act or acts for the making or repairing of any turnpike road or roads in Eng., by acting as trustees in the execution of any such act or acts without being possessed of the qualifications required by any such act or acts respectively, or by neglecting to take and subscribe any oath or affirmation required to qualify them as such trustees, according to any such act or acts respectively, are hereby indemnified and discharged from all incapacities, disabilities, penalties, and forfeitures, incurred by reason of such acting, or of such omission or neglect as aforesaid; and no act, matter, or

thing, done by any of them in the execution of any such act or acts, and not yet avoided, shall be questioned or avoided by reason of such acting or of such omission or neglect as aforesaid, but that all such acts, matters, and things, shall be and are hereby declared to be as good and effectual, to all intents and purposes whatsoever, as if such persons respectively had been duly qualified to act as such trustees, and had taken and subscribed such oaths or affirmations at such place and in such manner as is required respectively by the several acts under which such persons shall have acted as trustees as aforesaid; any thing in the said acts, or any of them, to the contrary thereof in anywise notwithstanding: provided always, that such person or persons do and shall take and subscribe the oaths or affirmations of qualification required by the respective act or acts under which such person or persons shall act as a trustee or trustees, in such manner and form, and in such place or places respectively, as are directed and appointed by the said acts respectively, before any such person or persons shall act as such trustee or trustees at any time after the expiration of two calendar months next after the passing of this act, 6 G. 4. c. 3. s. 3.

5. This act shall not extend to indemnify any person against whom final judgment shall have been given in any action of debt, bill, plaint, or information in any of H. M.'s courts of record, for any penalty incurred by having neglected to qualify himself within the time limited by law, 3 G. 4. c. 3. s. 4.

6. Nothing in this act shall exempt any justice of peace within G. B. from the penalties to which he is subject for acting as such without being possessed of the qualification required by the laws now in force, 6 G. 4. c. 3. s. 5.

7. And whereas the appointment of divers clerks of the peace, town-clerks, and other public officers, and the admission of divers members and officers of cities, corporations, and borough towns in G. B. and Ire., or the entries of such admissions in the court books, rolls, or records of such cities, corporations, and borough towns, which by several acts of parliament are directed and required to be stamped, may not have been provided, or the same not stamped, or may have been lost or mislaid; it is enacted, That for the relief of such persons whose appointments and admissions, or the entries of whose admissions as aforesaid, may not have been provided, or not duly stamped, or where the same have been lost or mislaid, it shall and may be lawful to and for such persons in G. B. or Ire., on or before the 25th March 1826, to provide appointments and admissions, or entries of admissions as aforesaid, duly stamped; or in case where such appointments, &c. as aforesaid, have been made or provided, but have not been duly stamped, to produce such appointments, &c. to the commissioners of stamps to be duly stamped; which such commissioners are hereby authorized and required to duly stamp, on payment of the duties first payable, or to have been paid on such appointments, admissions, or entries of admissions as aforesaid, without any fine or forfeiture thereon; and in order to denote the said duties, the said commissioners are hereby authorized to use such stamps as shall have been heretofore provided to denote any former duties on stamped vellum, parchment, and paper, or to cause new stamps to be provided for that purpose, and to do all other things necessary for putting this act in execution, in the like and in as full and ample manner as they or the major part of them are authorized to put in execution any former law concerning stamped vellum, &c.; and such persons so providing appointments, &c. as aforesaid, duly stamped, or procuring the same to be duly stamped, in manner aforesaid, are and shall be hereby confirmed and qualified to act as clerk of the peace, town-clerk, or other public officer, or member or members, officer or officers of such cities, corporations, and borough towns respectively, to all intents and purposes; and shall and may hold and enjoy and execute such offices, or any other office or offices into which he or they hath or have been elected, notwithstanding his or their omission, or the omission of any of their predecessors, in such cities, &c. as aforesaid; and shall be indemnified and discharged of and from all incapacities, penalties, and damages by reason of any such omission; and none of his or their acts shall be questioned or avoided by reason of the same, 6 G. 4. c. 3. s. 6.

8. This act shall not extend to restore or entitle any person to any office or employment, benefice, matter or thing soever, already actually avoided by judgment of any of H. M.'s courts of record, or already legally filled up and enjoyed by any other person, but such office, &c. so avoided, or legally filled up and enjoyed, shall remain to the person or persons who now, or at the passing of this act [9th March 1825], shall be legally entitled to the same, as if this act had never been made, 6 G. 4. c. 3. s. 7.

9. In case any action, suit, bill of indictment, or information, shall, after the passing of this act [9th March 1825], be brought, or prosecuted against any person hereby intended to be indemnified, recapacitated, or restored, on account of any forfeiture or disability soever, incurred or to be incurred by any such neglect or omission, such person may plead the general issue, and give this act and the special matter in evidence upon any trial to be had thereupon, 6 G. 4. c. 3. s. 8.

INDICTMENT AND INFORMATION.

1. To amend two acts for removing difficulties in the conviction of offenders stealing property in mines and from corporate bodies, 6 G. 4. c. 56.

2. Whereas 56 G. 3. c. 73. [Stat. Dig. tit. MINES, pl. 25, 26.] was passed, for removing difficulties in the conviction of offenders stealing property in mines: and whereas 1 G. 4. c. 102. [Stat. Dig. tit. INDICTMENT, pl. 10, 11.] was passed, for making general the provisions of the 56 G. 3. c. 73.: and whereas the enactments of the said acts have been found to facilitate the conviction of offenders, and to promote the due administration of justice, without depriving persons accused of any fair or just means of defence; but such acts have been found not to extend to other cases within the same principle, and in which it is fit and expedient that a similar remedy should be applied: it is therefore enacted, That from and after the passing of this act [22d June 1825], the provisions of the said acts, with respect to offenders charged as in the said acts is mentioned, shall be deemed and taken to extend to all cases of offenders charged in any indictment with forgery, or obtaining money by false tokens or pretences, and that in such indictments it shall be sufficient to allege and aver that the act was done with intent to defraud any one or more of any partners, co-adventurers, trustees, commissioners, feoffees, governors, or directors, or any one by name of any body corporate, 6 G. 4. c. 56.

INSOLVENT DEBTORS.

1. To amend an act of the first year of His present Majesty, for the relief of insolvent debtors in Eng. 3 G. 4. c. 123.

2. Whereas 1 G. 4. c. 119. [Stat. Dig. this tit. pl. 22. et seq.] passed, intituled, *An Act for the relief of insolvent debtors in Eng., to continue in force until the 1st June 1825.*; and it is expedient to amend the same in the manner herein-after mentioned; be it therefore enacted and declared, That it shall and may be lawful for the provisional assignee of the court for relief of insolvent debtors, to take possession himself, or by means of a messenger of the said court, or other person or persons appointed by him, of all the real and personal estate and effects of every such prisoner as shall subscribe such petition, and execute such conveyance and assignment, as in the said recited act mentioned; and if the said court shall so order, to sell or otherwise dispose of such goods, chattels, and personal estate, or any part thereof, and if the court shall so order, of the real estate of such prisoner, according to the provisions of the said recited act, for the purposes of the said recited act, and out of the proceeds of such real or personal estate to defray, in the first place, all such costs and expences of taking possession of or seizing and selling the same, as shall be allowed by the said court, and account for the produce thereof to the said court; and all and every the real or personal estate, money and effects, vested in or possessed by such provisional assignee by virtue of the said recited act or this act, shall not remain in him, if he shall resign or be removed from his office, or in his heirs, executors, or administrators, in case of his death, but shall, in every such case, go to and be vested in his successor in office, 3 G. 4. c. 123. s. 1.

3. It shall be lawful for the provisional assignee to sue in his own name, if the said court shall so order, for the recovery, obtaining and enforcing of any estate, debts, effects, or rights of any such prisoner; and in case of the dismissal of the petition of any such prisoner praying for his discharge, which the said court is hereby empowered to dismiss, whenever it shall seem fit, all the acts done before such dismissal by the said provisional assignee, or other persons acting under his authority, according to the order of the said court, shall be good and valid, 3 G. 4. c. 123. s. 2.

4. And whereas it is enacted by the said recited act [1 G. 4. c. 119. s. 7. Stat. Dig. this tit. pl. 29.] that when the said court shall adjudge any prisoner to be entitled to his discharge, such court shall appoint a proper person or persons to be assignee or assignees of the estate and effects of such prisoner, for the purposes of the said recited act; it is hereby further declared and enacted, That it shall and may be lawful for the said court, as often as it shall see cause, for the better preserving and securing the property of any prisoner, to appoint at any time after the filing of such prisoner's petition, and before the said court shall adjudge him entitled to his discharge, as well as after such adjudication, one or more assignee or assignees of the estate and effects of such prisoner, for the purposes aforesaid; and when such last-mentioned assignee or assignees shall have signified to the said court his or their acceptance of the last-mentioned appointment, every such prisoner's estate, effects, rights, and

powers, vested in such provisional assignee as aforesaid, shall immediately be assigned by such provisional assignee to such last-mentioned assignee or assignees, in trust, for the benefit of such last-mentioned assignee or assignees and the rest of the creditors of every such prisoner, in respect of or in proportion to their respective debts, according to the provisions of the said recited act; and the assignee or assignees of every such prisoner, at any time appointed, shall be and is and are hereby empowered to use and exercise all the powers, authorities, rights, and duties, and shall be subject to all the duties, liabilities, and punishments, given or ordained by this or the said recited act with respect to the provisional or other assignee or assignees of any prisoner; and in all cases after assignment by the provisional assignee, all the estate and effects of every such prisoner shall be, to all intents and purposes, as effectually and legally vested by relation in all and every such assignee or assignees, as if the first assignment had been made by such prisoner to him or them; but no act done under or by virtue of such first assignment shall be thereby rendered void or defeated, but shall remain as valid as if no such relation had taken place, 3 G. 4. c. 123. s. 3.

5. From and after the passing of this act [6th Aug. 1822], in all cases in which any assignee or assignees of any insolvent's estates shall wilfully retain in his or their hands, or otherwise employ for his or their own benefit, any sum or sums of money, part of the estates of such insolvent, the said court shall have full power and authority to order such assignee or assignees to be charged in his or their accounts with the estates of such insolvents with such sum or sums of money as shall be equal to the amount of interest computed at a rate not exceeding 20l. per cent. per annum, on all sums of money appearing to the said court to be so retained or employed by him or them, for the time or times during which he or they shall have so retained or employed the same; and the said court shall in pursuance of such order charge such assignee or assignees in their accounts with such sum or sums of money accordingly, 3 G. 4. c. 123. s. 4.

6. The said court or the justices acting under the authority of the said recited act, shall have the same power to examine into all debts in the prisoner's schedule, whether the same shall be therein stated to be admitted or disputed, or to be admitted in part and disputed in part, as is enacted by the said recited act as to the debts stated to be admitted therein; and shall also have power to inquire whether any of such debts have been improperly admitted or improperly disputed by the prisoner with any fraudulent intent, 3 G. 4. c. 123. s. 5.

7. In the adjudication of the said court, that any prisoner is entitled to the benefit of the said act, and the order thereon, it shall not be necessary to specify the several creditors and persons claiming to be creditors of such prisoner, as required by the said recited act, but it shall be sufficient, if the said court shall think fit, to refer in such order to the schedule of such prisoner as specifying such creditors, or persons claiming to be creditors of such prisoner, as to whom the said court shall adjudge the said prisoner to be entitled to the benefit and protection of the act, and to be discharged forthwith; and that in all cases where it shall appear to the said court that any prisoner shall have done or committed any act for which the said court is by the said recited act authorized to order that such prisoner shall not be discharged out of custody by virtue of the said recited act, or receive or be entitled to any protection, until he or she shall have been in custody at the suit of some one or more of the persons who were creditors at the time of petitioning the said court, or had since become creditors in respect of debts then growing due, and from whose claims he or she shall be discharged by the judgment of the said court, for a period or periods not exceeding three years in the whole, the said court may adjudicate thereon in the words of the said recited act, without naming any such one or more creditor or creditors in such adjudication; and thereupon the said insolvent shall under such adjudication be subject and liable to be detained in prison by his or her then detaining creditor or creditors, and to be arrested or charged in custody by any of the other creditors in his or her schedule, until he or she shall have been in custody for such period or periods in the whole as shall be specified in such adjudication, 3 G. 4. c. 123. s. 6.

8. Where it shall have been referred to an officer of the said court, or to any examiner appointed by justices of the peace, by virtue of the said recited act, to investigate the accounts of any prisoner, and to examine into the truth of the schedule of such prisoner, or the matters thereof, it shall be lawful for the said court, if it shall see cause, to order all the fees and expences thereof, paid by any creditor or creditors, to be repaid to him or them out of the first money received by the provisional or other assignee or assignees of such prisoner, from or by his estate or effects; and when it shall have been so referred to any officer or examiner, it shall be lawful for such officer or examiner to order the attendance of such prisoner, or of any prisoner who shall be a material or necessary witness in any matters so referred to such officer or examiner, as often as such officer or examiner shall think fit; and the prisoner mentioned in such order shall be accordingly carried before such

officer or examiner, for which such order shall be a sufficient warrant; and the keeper of the prison or his deputy so carrying any prisoner before such officer or examiner, shall receive for the same the sum of ten shillings and no more, to be paid by the person or persons at whose requisition the said reference shall have been had, and such officer or examiner shall and may, under such reference, administer oaths, and accept the solemn affirmation of any person being a quaker, and examine all witnesses and parties upon their oaths or affirmations touching all matters relating thereto; and if any prisoner, or other person taking an oath, or making any such affirmation, under the provisions of this act, shall wilfully forswear and perjure himself or herself in any oath to be taken under this act, or shall make any wilful false affirmation, and shall be lawfully convicted thereof, he or she so offending shall suffer such punishment as by law may be inflicted on persons convicted of wilful and corrupt perjury: provided, that no keeper of any prison shall be required or compelled to carry any prisoner a greater distance than two miles from his prison, to or before such officer or examiner; except that the keepers of prisons in *Middlesex* or *London*, and of the prisons of the *King's Bench* and *Marshalsea*, and in *Horsemonger Lane*, and of and in the borough of *Southwark* in the county of *Surrey*, shall carry their prisoners before such officer at the office of the said court, or at such other place within the bills of mortality as the said court shall direct, 3 G. 4. c. 123. s. 7.

9. In all cases in which the said court shall order any prisoner to be discharged from custody so soon as such prisoner shall have been in custody during a certain period, or not to be discharged until he shall have been in custody during a certain period, according to the provisions and limitations in the said recited act, the said court may, if it shall see cause, order such prisoner to be confined during any such period within the walls of such prison, and not within any rules or liberties thereof, 3 G. 4. c. 123. s. 8.

10. It shall be lawful to the justices at their general or quarter or adjourned sessions, [to remand to prison any prisoner brought before them, who shall refuse to be sworn, or to answer upon oath all such questions as to the said justices shall appear relevant and proper, or for the purpose of amending his schedule, or for further examination or hearing, and to order him to be brought before them at the same or some subsequent general or quarter or adjourned sessions; and such order shall be a sufficient warrant to the keeper of the prison wherein he shall be in custody, to bring him before the same or such subsequent sessions, according to the direction thereof; and the said justices at session shall certify to the said court the said remand, with the cause thereof; and the said justices shall have such and the same powers of compelling the attendance of witnesses, and of requiring and compelling the production of books, papers, and writings, for the purposes of the said recited act or this act, as now are possessed by any of the superior courts at *Westminster*; and the clerk of the peace, who is hereby authorized to issue such subpoenas as may be requisite, and in each of which the names of not more than four persons shall be inserted, for each subpoena, shall receive from the person requiring the same the sum of two shillings and sixpence, and no more: provided, that nothing herein contained shall extend to the compelling of the attendance of any witness, unless the party on whose behalf such witness shall be required to attend, shall have previously tendered such allowance for expences for his attendance, as in the judgment of the said court or of the said justices, at the general or quarter or adjourned sessions, shall appear to be reasonable, 3 G. 4. c. 123. s. 9. [REP. as to so much as gives any power to justices in sessions, 5 G. 4. c. 61. s. 1. post, pl. 27.]

11. Where it shall appear to the satisfaction of the said court, that any prisoner in actual custody, or arrested within the counties of *Middlesex* or *Surrey*, or the city of *London*, had, at or immediately before such arrest, his usual place of abode in some other county or place, and had been arrested in the said counties of *Middlesex* or *Surrey*, or in the said city of *London*, it shall and may be lawful for the said court to receive affidavits of any creditor or creditors, or of any other person or persons not resident within the said counties of *Middlesex* and *Surrey*, or the city of *London*, in opposition to the discharge of such prisoner under the said recited act, and, if the said court shall think fit, to permit interrogatories to be filed, for the examination or cross-examination of any person making or joining in such affidavit, and also to stay the discharge of every such prisoner until such interrogatories shall be fully answered, to the satisfaction of the said court, or until the expiration of six weeks from the filing of such interrogatories, 3 G. 4. c. 123. s. 10.

12. No prisoner who shall have petitioned the said court for relief under and by virtue of the said recited act, shall be discharged out of custody as to any action, suit, or process in or by which he or she shall be charged or detained in custody, for any debt or damages which are or shall be admitted by such prisoner in his or her schedule filed in the said court under the said recited act, or which shall be disputed therein only as to the amount of such debt or damages, by or by virtue of any supersedeas, judgment of non-pros, or judgment as in the case of a non-

suit, for want of the plaintiff or plaintiffs in such action, suit, or process proceeding therein, 3 G. 4. c. 123. s. 11.

13. And whereas by the provisions in the said act [1 G. 4. c. 119. ss. 4. 25. Stat. Dig. this tit. pl. 26, 47.] any prisoner petitioning for the benefit of the said act must execute a conveyance and assignment of all the estate, right, title, interest, and trust of such prisoner to all the real and personal estate and effects of such prisoner (except as therein excepted), so as to vest all such real and personal estate and effects in the provisional assignee of the said court, and the said court is empowered to order a judgment to be entered up against such prisoner in one of the superior courts at *Westminster* for the amount of the debts of such prisoner which shall at the time of such order remain due and unpaid, from which such prisoner shall be discharged by the said court; and such prisoner is required to execute a warrant of attorney to authorize the entering up such judgment: and whereas a married woman being a prisoner for debt cannot execute such conveyance or assignment, or such warrant of attorney for the purposes aforesaid, and therefore cannot petition for and obtain a discharge under the said act, without special provision being made for such purposes; be it therefore enacted, That if any married woman being a prisoner within the intent and meaning of the said act, shall petition to be discharged from any debt or debts under the provisions of the said act, it shall be lawful for the said court to receive such petition without requiring such married woman to execute such conveyance or assignment, or such warrant as aforesaid, according to the provisions of the said act; but instead thereof, that the said court shall require such married woman to execute a conveyance and assignment for vesting in such provisional assignee as aforesaid all property, real and personal, to which she may be entitled for her separate use, or over which she shall have any power of disposition, notwithstanding her coverture, or which shall be vested in any trustees or trustee or other persons or person for her benefit, and to deliver up all personal estate and effects of which she shall have the actual possession, except her wearing apparel, bedding, and other such necessities, not exceeding in the whole the sum of 20*l.*, and also all other real and personal estate and effects to which she shall be entitled in any manner whatsoever, in possession, remainder, or reversion, subject only to such right, title, or interest as her husband may have therein; all which acts she is hereby empowered to do without her husband, notwithstanding her coverture, so nevertheless as not to prejudice any rights of her husband in such real and personal estate and effects respectively; and all such estate and effects, real and personal, in possession, reversion, or remainder, shall by such conveyance and assignment so to be executed under the order of the said court, be as effectually vested in such provisional assignee as aforesaid, as the same might have been vested in such assignee by the conveyance or assignment of such woman if she had been sole and unmarried, subject only to the rights of her husband therein as aforesaid; and all provisions in the said act or in this act contained, touching the real and personal estate of any prisoner seeking to be discharged under the authority of the said act, shall apply to such real and personal estate and effects respectively, in the same manner as the same would apply to such personal estate and effects if such woman had been sole and unmarried, subject only to the rights of her husband therein; and such married woman shall also execute a warrant of attorney to confess judgment in one of the superior courts aforesaid, for the amount of the debts remaining unpaid, from which she shall be discharged under the authority of the said act as aforesaid; and such warrant of attorney so executed shall be sufficient authority for entering up judgment against such woman accordingly, notwithstanding her coverture; but such judgment shall not in any manner prejudice or affect the rights of her husband, except that the same shall be deemed and taken to be her debt in case she shall die in the life-time of such husband, to the end that the same may be discharged out of her personal assets in a due course of administration, or out of her real estate, if any she shall have at the time of her death, but without prejudice to any estate or interest of her husband therein as tenant by the curtesy; and in case such woman shall, during the life-time of her husband, become entitled to any property for her separate use, such judgment may be enforced against such separate property, by suit in equity, or otherwise, under the order of the said court, for the purpose of obtaining payment of so much of the debts from which such woman shall have been discharged by such court as shall then remain unpaid; and in case such woman shall survive her said husband, such judgment may be after his death enforced against such woman or her property, real and personal, in such and the same manner and with the same effect as it might have been if she had been sole and unmarried at the time she executed such warrant to confess judgment, and at the time when such judgment shall have been entered up as aforesaid: provided nevertheless, that the discharge of any married woman under the authority of the said act or of this act, shall not operate to discharge her husband from any debt from which his wife shall be so discharged, but such debt, so far as the same shall remain unpaid or unsatisfied, shall be chargeable upon and in force against such

husband, as fully, to all intents and purposes, as if his wife had not obtained such discharge, 3 G. 4. c. 123. s. 12.

14. Any prisoner who shall have been or shall be declared entitled to the benefit of the said recited act, and who shall have obtained or shall obtain a discharge under the said act, shall be discharged against every creditor for any sum of money payable at any future time or times, who shall under the said recited act have become entitled to a dividend of the estate of such prisoner in respect to any debt or claim so growing due and payable, and which shall not be due or payable at or before the time of such prisoner obtaining his or her discharge, in like manner, to all intents and purposes, as if such debt or claim were payable presently, and not at a future day, 3 G. 4. c. 123. s. 13.

15. And whereas by the said recited act the said court is authorized in certain cases, upon the application of any creditor of a prisoner, to direct such prisoner after his discharge to be brought again before them, and upon due notice to be given by such creditor, to rehear the matter, and make such further order as to them shall seem fit, in execution of the powers in the said recited act contained; be it further enacted, That where in any such case the insolvent after his discharge shall refuse or neglect to appear before the said court, or before the said justices at their general or quarter or adjourned sessions, when the said court shall direct the matter to be reheard before such justices, who are hereby authorized to rehear the same, and to make such further order as to them shall seem fit, in execution of the powers in the said recited act contained, on the day and at the time specified in any rule of the said court, a copy whereof shall have been duly served on such insolvent, it shall and may be lawful for the said court to order the said insolvent to be apprehended and remanded into custody, in such prison as the said court shall direct, and to issue their warrant accordingly, and to cause him to be brought up for examination as often as to the said court or to the said justices shall seem fit, 3 G. 4. c. 123. s. 14. [REP. 5 G. 4. c. 61. s. 1. post, pl. 27.]

16. If any prisoner shall have been adjudged and ordered by the court to be discharged from custody after a certain period, or not to be discharged out of custody, or receive or be entitled to any protection under the said recited act, until he shall have been in custody at the suit of certain creditor or creditors in such order named, for a certain period therein mentioned, and the said court shall see good and sufficient cause to believe that such adjudication or order has been obtained on false evidence, or otherwise fraudulently obtained or improperly made, it shall and may be lawful for the said court to direct such prisoner to be brought again before them, and upon due notice to be given to the creditor or creditors named in the said order, to rehear the said matter, and set aside the said adjudication and order, if they shall see cause, and to make such further order as to them shall seem fit, in execution of the powers in the said recited act contained, 3 G. 4. c. 123. s. 15.

17. In case any person having been admitted on the files of the said court, to practise therein as an attorney or agent on the behalf of any prisoner in actual custody, shall be by the said court removed from the said files of the said court, and shall after such removal practise in the said court as an attorney or agent, on behalf of any prisoner in actual custody, he shall be deemed and taken to be guilty of a contempt of the said court, and shall be liable to fine as well as imprisonment for the same, as shall every attorney and agent, not admitted on the files of the said court, who shall practise contrary to the provisions of the said recited act or of this act, 3 G. 4. c. 123. s. 16.

18. All affidavits to be used before the said court, or any commissioner thereof, or any justices of the peace, or any officer of the said court, to whom a reference shall be made by the said court or any examiner appointed under the said recited act, shall and may be sworn before the said court or any commissioner thereof, or any commissioner appointed by the said court for the purpose of taking affidavits, or any master extraordinary in chancery, or commissioner for taking affidavits in any of the superior courts of *Westminster* hall, or in *Scot.* or *Ire.*, before a magistrate of the county, division, city, town, or place, where the affidavit shall be sworn, 3 G. 4. c. 123. s. 17.

19. In every case where a prisoner shall be or become of unsound mind, and proceedings shall be had under the said recited act for the discharge of such prisoner by the said court, all and every estate, right, title, interest in law and equity, real and personal, power, benefit, and emolument whatsoever, which, if such prisoner were of sound mind, could or ought to be assigned by such prisoner, pursuant to the provisions of the said recited act or this act, shall by force and virtue of the order for the discharge of such prisoner be vested in the provisional assignee of the said court, or in other assignee or assignees appointed by the said court, and named in the said order, as fully and effectually, and in the same manner, and with all and every the same consequences and effects, both in fact and law, to all intents and purposes whatsoever, as if such prisoner had been of sound mind, and had duly conveyed the same to such provisional assignee at the time and in the manner in the said recited act provided; and every assignment hitherto made in such case by the

said court is and shall be good and effectual to all intents and purposes; and it shall be lawful for the said court to order judgment to be entered up against such prisoner, in the same manner as if he or she had been of sound mind and had executed a warrant of attorney to authorize the entering up of such judgment, in the manner by the said recited act provided, 3 G. 4. c. 123. s. 18.

20. When any assignment shall be avoided by a commission of bankrupt being issued against any prisoner, no action or suit shall be commenced for any thing done under or by virtue of the said assignment, except to recover any property, estate, money, or effects of the said bankrupt, detained after demand thereof, 3 G. 4. c. 123. s. 19.

21. And whereas it may happen that money may remain in the said court, produced by the estate and effects of insolvent debtors who have taken the benefit of the said recited act, or some other act for the relief of insolvent debtors, which has not been or may not be claimed by the assignees or creditors of such insolvent; be it further enacted, That it shall be lawful for the said court to cause the same, or any part thereof, to be invested in government securities, and to apply the interest and profit arising therefrom towards defraying the expences of the said court: provided, that no such money shall be so invested, until the same shall have been in the hands of the said court for twelve months at the least, 3 G. 4. c. 123. s. 20.

22. And whereas it is intended to erect a building for the said court in or near to *Portugal Street, Lincoln's Inn Fields*, which will be at a convenient distance from the several prisons in *London* and *Middlesex*, and from the prisons of the *King's Bench, Marshalsea, Horsemonger Lane*, and of the borough of *Southwark*, in the county of *Surrey*; be it further enacted, That from and after the same court shall be erected, and ready for the dispatch of business therein, all petitions and other proceedings and matters of all persons confined in the said prisons, shall be heard and determined therein, unless the said court shall at any time see cause to adjourn its sittings to any other place, and shall adjourn accordingly, which it is hereby empowered to do; and that the said keepers of the said several prisons, or their deputies, shall be entitled to receive the sum of three shillings and no more from each prisoner, for carrying him before the said court, on the hearing of the matter of his petition and schedule, 3 G. 4. c. 123. s. 21.

23. In all rules, orders, warrants, and other proceedings of the said court, under the said recited act or this act, or any act for the relief of insolvent debtors, it shall be sufficient to set forth such rule, order, or warrant, or in case of a warrant for the apprehension or detention of any person, for a contempt in disobeying any order or rule of the said court, or for the apprehension or detention of any person for the appearance of such person before the said court, or for the enforcing any rule or order of the said court, it shall be sufficient to set forth such rule or order, and the warrant thereon, and that the insolvent in any order, rule, warrant, or other proceeding mentioned, has been duly discharged under the said recited act or this act, or some other act for the relief of insolvent debtors, if he has been discharged, or if he has not been discharged, that the prisoner has applied by petition to the said court for his or her discharge from confinement according to the provisions of the said acts, without setting forth in any such order, rule, warrant, or other proceeding, the petition, conveyance, or assignment to the provisional assignee, appointment of assignee or assignees, or any assignment whatever, or the schedule, balance sheet, order for hearing, adjudication, order for discharge, or any other rule, order, or proceeding of or in the said court, or any part thereof, except as aforesaid, 3 G. 4. c. 123. s. 22.

24. From and after the expiration of six weeks from the last day of *Trinity* term until the first day of *Nov.* in every year during the continuance of the said recited act and this act, the said court shall have full power and authority to regulate and appoint the sittings of the said court at such times as to the commissioners of the said court shall appear fit and necessary for the due administration of justice in the said court; any thing in the said recited act to the contrary thereof in anywise notwithstanding: provided, that no adjournment of the said court shall be at any time for more than six weeks, 3 G. 4. c. 123. s. 23.

25. In every information or indictment against any person, for having, with intent to defraud his creditors, wilfully and fraudulently omitted in his schedule, as finally amended and filed in the said court, at the time of the order for his discharge from actual custody, any effects or property whatsoever, or retained or excepted out of the schedule, as wearing apparel, bedding, working tools, and implements, and other necessaries, more in value than 20*l.*, or against any person for aiding and assisting him to do the same, it shall be sufficient to set forth the substance of the offence charged on the defendant, without setting forth the petition, or conveyance or assignment to the provisional assignee, appointment of assignee or assignees, or any assignment whatever, or balance sheet, order for hearing, adjudication, order for discharge or remand, or any warrant, rule, order, or proceeding of or in the said court, except so much of his schedule as may be necessary for that purpose, 5 G. 4. c. 123. s. 24.

26. To amend certain acts for the relief of insolvent debtors in *Eng.*, 5 G. 4. c. 61. [AMD. by enabling the insolvent debtor's court to dispense until the end of the next session of parliament with the necessity of prisoners residing within the walls in certain cases, 6 G. 4. c. 121. The 5 G. 4. c. 61. to commence and take effect upon 1st *Sept.* 1824, and to expire with the session of parliament next after 1st *June*, 1825, *id.* s. 23. The 6 G. 4. c. 121. to expire with the session of parliament next following the passing thereof, *id.* s. 3.]

27. Whereas 1 G. 4. c. 119. [Stat. Dig. this title, pl. 22. et seq.], intituled, *An Act for the relief of insolvent debtors in Eng.*, to continue in force until the 1st *June*, 1825; and a certain other act, 3 G. 4. c. 123., intituled, *An Act to amend an act of the first year of His present Majesty, for the relief of insolvent debtors in Eng.*; were passed, and it is expedient to alter and amend the same: be it therefore enacted, That so much of the said acts [viz. 1 G. 4. c. 119. ss. 20, 21, 23, 39. Stat. Dig. this title, pl. 42, 43, 45, 61., 3 G. 4. c. 123. ss. 9, 14. ante, pl. 10, 15.], as gives any power, authority, or jurisdiction, or enables the court for relief of insolvent debtors to give or delegate any power, authority, or jurisdiction, to any justices of the peace at their general or general quarter sessions of the peace, or at any adjournment thereof, for any county, riding, city, cinque port, antient town or member, division, liberty, or place, shall be, from and after 1st *Sept.* 1824, repealed; except as to the justices of the peace at their general or general quarter sessions of the peace, or at some adjournment thereof, for any county, city, liberty, or place in the principality of *Wa.*, 5 G. 4. c. 61. s. 1.

28. Where any prisoner shall be in any county gaol, or other gaol or prison in *Eng.*, except in the counties of *Middlesex* or *Surrey*, or in the city of *London*, or the borough of *Southwark*, upon any process whatsoever issuing out of H. M.'s superior courts in *Westminster* hall, or out of any court whatsoever in *Eng.*, then and in such case, upon petition being made to the said court for relief of insolvent debtors by such prisoner, in manner directed by the said recited acts or either of them, and upon such schedule being delivered into the said court as is required by the said recited acts or either of them, it shall be lawful for the said court, and the said court is hereby authorized and required, on the application of such prisoner, to make a rule or order to cause such prisoner to be brought to and to appear at the court house or other place in any assize or other town in the county, or county of a city or town, where such prisoner shall be imprisoned, on such day and at such time as shall be mentioned and specified in such order, not being more than four calendar months after the date of such order; and the expence of conveying such prisoner to any such assize or other town, in every case where the gaol in which such prisoner shall be confined shall not be situate within such assize or other town, not exceeding 1*s.* a mile, shall be paid to the keeper or gaoler, or officer who shall bring such prisoner to such assize or other town, in obedience to such rule or order, out of the estate or effects of such prisoner, if the same shall be sufficient to pay such expence, and if not, then such expence shall be paid by the treasurer of the county, county of a city or town, in which such prisoner shall be imprisoned, as the same shall be directed or ordered by the commissioner before whom such prisoner shall be brought; and the justices of the peace of such county, county of a city or town, are hereby empowered and required to order at their general or general quarter sessions next ensuing the day mentioned in such rule or order, such treasurer to pay the same; and the said court shall cause like notice of every such petition and schedule of such prisoner, and of such rule or order of the court for bringing such prisoner to such assize or other town thereupon, as is required by the said first-mentioned act, as to the matter of petitions heard before the court, 5 G. 4. c. 61. s. 2.

29. On such day so appointed by order of the said court for relief of insolvent debtors, it shall be lawful for any one commissioner of the said court, and he is hereby authorized and required to attend at such court house or other place in such assize or other town, and to proceed on such day, and from day to day if requisite, in hearing the matter of the petitions of any and every such prisoner or prisoners, who shall appear at or be brought to such assize or other town, and to pronounce any such judgment, and to make all such orders, and to give all such directions, and to do all such other matters and things requisite for the discharging or remanding of any and every such prisoner, and for the assignment and application of the estate and effects of every such prisoner; and such commissioner shall have such power to discharge or remand any and every such prisoner, and in all other respects to act and do with respect to any and every such prisoner, and with respect to the petition and schedule of any and every such prisoner, as the said court for the relief of insolvent debtors could or may do under or by virtue of the said recited acts, or either of them; and all judgments, rules, orders, directions, proceedings, acts, matters, and things, for or relating to such prisoner, creditors and assignees, done by such commissioner,

shall be as good, valid, and effectual to all intents and purposes, as if such judgments, rules, orders, directions, proceedings, acts, matters, and things had been done by the said court for the relief of insolvent debtors; and the same shall be made a record of the proceedings in such court for the relief of insolvent debtors, and shall be transmitted to such court, signed by such commissioner, to be a record of the said court, and to be kept as such among the records thereof, 5 G. 4. c. 61. s. 3.

30. It shall be lawful for H. M. to appoint one other commissioner, being a barrister at law of ten years' standing at least, in addition to those already appointed, and that three of the said commissioners shall from time to time severally make circuits, and give their attendance respectively at the several assize or other towns at which any prisoner or prisoners shall be ordered to appear in manner aforesaid, so that the circuits shall be three times in each year, if requisite; and during the said circuits, one of the said commissioners shall be attendant and presiding in the said court established by the first-mentioned act; and the time and manner of making such circuits, and the officers necessary to attend the commissioners making the same, shall be regulated in such manner as shall be agreed on between the commissioners of the said court, with the approbation of one of H. M.'s principal secretaries of state for the time being; and it shall be lawful for the lord high treasurer, or lords commissioners of H. M.'s treasury of the U. K. of G. B. and Ire., for the time being, to direct that such sum shall be paid as may appear fit and necessary for defraying the travelling expences of such commissioners and officers in the execution of their duties under this act or the said recited acts, or either of them, 5 G. 4. c. 61. s. 4.

31. In every county, or county of a city or town, the clerk of the peace of the county, or if the court shall think fit, his sufficient deputy, to be approved of by the said court, shall attend on all such occasions, with proper officers, to preserve order in the said court-house or other place, and may act as clerk to the commissioner under this act, to assist him in his performance of his several duties under this act in such county, or county of a city or town; and the said clerk of the peace, or his said deputy, shall, in consideration and recompence of and for his said trouble, be entitled to receive from every such prisoner, in whose case he shall so act, the sum of five shillings and no more, the same to be in lieu of all fees of every nature and kind for the performance of the duties under this act; and such fee shall be paid previous to the bringing up such prisoner before such chief or other commissioner, 5 G. 4. c. 61. s. 5.

32. Provided, that notice of the time and place or places of the attendance of such commissioner in each county, or county of a city or town, shall be given in the *London Gazette*, and in some public journal or newspaper published in each such county respectively, once in each of the two weeks immediately preceding the time appointed for such attendance, 5 G. 4. c. 61. s. 6.

33. If on the day appointed for the arrival of such commissioner, he shall not have arrived, or shall not attend at such court-house or other place, then and in every such case the court shall be considered as adjourned to the ensuing day, not being a *Sunday*; and if the ensuing day should be a *Sunday*, then to the next day, *Monday*, and so on from day to day, until the arrival of the said commissioner; and that all persons summoned or bound, or having occasion to attend the said court, shall thereupon be bound to attend the same, according to every such adjournment, in the same manner in all respects as if such commissioner had regularly sat, and so adjourned the same; and that such commissioner who shall so arrive, shall proceed to sit and dispatch the business of the said court, in the same manner in all respects as if he had regularly sat, and had himself made such adjournments of the said court, 5 G. 4. c. 61. s. 7.

34. Provided, that such chief or other commissioner, who shall not arrive at any such assize or other town on the day so appointed by the said court in that behalf as aforesaid, shall, without delay, state in writing the reason or cause which prevented him from arriving, and shall send the same forthwith by H. M.'s post, subscribed by himself, to one of H. M.'s principal secretaries of state, 5 G. 4. c. 61. s. 8.

35. And whereas it may sometimes be highly expedient that all the said commissioners should be absent from *London*, *Westminster*, and *Middlesex*, in different cities, towns, and places, at the same time; be it therefore enacted, That on any particular occasion, when the said commissioners shall be of opinion that it would be expedient that all the said commissioners should be absent from *London*, *Westminster*, and *Middlesex*, in different places at the same time, it shall and may be lawful to and for such chief and other commissioners to state such opinion, together with the grounds and reasons thereof, in writing, to one of H. M.'s principal secretaries of state for the time being, and thereupon, if such secretary of state shall approve thereof, and the same shall be notified in writing to such chief and other commissioners by such secretary of state, it shall and may be lawful to and for all the commissioners to be absent from *London*, *Westminster*, and *Middlesex*, at the same time, in such places respectively as shall be so mentioned and al-

lowed, and for that purpose to adjourn the said court for relief of insolvent debtors, for such time as shall be permitted in and by such notification; any thing in the said recited acts, or either of them, to the contrary notwithstanding, 5 G. 4. c. 61. s. 9.

36. The said court, or the said commissioner upon his circuit, shall from time to time, as occasion may require; appoint as many fit persons as the said court or he shall judge sufficient, to be examiners for the purposes of the said recited acts and this act, or any or either of them; and if it shall appear to the said commissioner on his said circuit to be expedient and proper that the accounts of any prisoner, and the matters of the schedule of such prisoner, should be further investigated and examined, then it shall be lawful for such commissioner to adjourn the hearing of the petition of such prisoner, and at the request of any one or more of the creditors, to order and direct that some one of the examiners so appointed shall examine into the matters of the said schedule, and certify his opinion thereon, as directed by such commissioner, of which all parties interested shall take notice; and that such examiner shall and may receive for his trouble the sum of 1*l.*, and no more, for every meeting under such order, to be paid by the person or persons requiring the same, 5 G. 4. c. 61. s. 10.

37. Where an order has issued for the hearing of the matter of the petition and schedule of any prisoner, at an assize or other town, such prisoner shall cause the duplicate of such petition and schedule, and all books, papers, and writings relating thereto, in his or her possession or power, to be lodged with the clerk of the peace of the county, or his said deputy, where he or she shall be in custody, within 10 days after such order issued, or on such earlier day as shall be named in such order, and such prisoner shall be subject to such order as the court shall make to enforce compliance with the directions of this act in this behalf; and that the said clerk of the peace or his said deputy shall, on the reasonable request of such prisoner, or of any creditor or creditors of such prisoner, or his or her attorney, produce and show to such prisoner, creditor or creditors, or his, her, or their attorney, such petition and schedule, and books, papers, and writings of such prisoner, and permit him, her, or them to inspect and examine the same, and may and shall receive the fee of one shilling from each and every creditor, or his, her, or their attorney, at each time of his, her, or their so requesting and having the production thereof, or any of them; and that such clerk of the peace or his said deputy, shall provide for any such creditor or creditors, or his, her, or their attorney, requesting the same, a copy or copies of such petition or schedule, or such part thereof as shall be so required; and that such clerk of the peace, or his said deputy, shall be entitled to receive 4*d.* for every sheet so copied containing 72 words, and no more, unless the same shall be the last or only sheet, in which case he shall be entitled to 4*d.* for such last or only sheet, although it does not contain 72 words; and that every such prisoner shall cause the said duplicate of his schedule, and his said books, writings, and papers, to be brought to and be produced at his hearing, 5 G. 4. c. 61. s. 11.

38. The said recited acts, or either of them, shall not extend to any person in actual custody, who shall not be at the time of filing his petition, and during all the proceedings thereon, in actual custody within the walls of the prison, and not within any rules or liberties thereof; nor to any prisoner who, after his commitment to any prison in any county or place where he or she had, at or lately before his or her arrest, his or her usual place of abode, other than in *Middlesex*, *Surrey*, *London*, or *Southwark*, aforesaid, shall cause himself to be removed by any writ of *habeas corpus*, or otherwise, from such respective prison to any other prison, 5 G. 4. c. 61. s. 12.

39. Whereas by 5 G. 4. c. 61. s. 12. [ante, pl. 38.] intituled, *An Act to amend certain acts for the relief of insolvent debtors in Eng.*, it is among other things enacted, that the acts therein recited shall not extend to any person in actual custody who shall not be at the time of filing his petition, and during all the proceedings thereon, in actual custody within the walls of the prison, and not within any rules or liberties thereof: and whereas, in consequence of the present crowded state of the *King's Bench* prison, it is expedient to relax the said recited provision for some time, and the same inconvenience may happen in the *Fleet* prison, be it therefore enacted, That it shall be lawful for the court for the relief of insolvent debtors at any time after any petitioner, being a prisoner within the walls of either of the said prisons, shall have obtained from the said court an order for hearing his petition, to grant a dispensation to such petitioner, with the provisions herein-before recited, if the said court shall think fit; provided that no such dispensation shall be granted to any petitioner, unless the court shall be satisfied, by the affidavit of a physician, surgeon, or apothecary, either that the petitioner cannot continue to reside within the walls without injury to his health, or that, for the sake of the health of the prisoners in general, it is necessary that the number of prisoners within the walls of such prison should be reduced, 6 G. 4. c. 121. s. 1.

40. Provided, that if any prisoner having a dispensation to reside without the walls, and within the rules and liberties of either of the

said prisons, by virtue of this act, shall without lawful cause go beyond the limits of the said rules and liberties, such prisoner shall *ipso facto* be deprived of all benefit of any of the acts for the relief of insolvent debtors, 6 G. 4. c. 121. s. 2.

41. Where it shall appear to the satisfaction of the said court or commissioner, that any prisoner arrested within the counties of *Middlesex* or *Surrey*, or the city of *London*, or borough of *Southwark*, had, at or lately before such arrest, his or her usual place of abode in some county or place other than the said counties of *Middlesex* or *Surrey*, or the city of *London*, or the borough of *Southwark*, and hath been arrested in the said counties of *Middlesex* or *Surrey*, or the city of *London*, or borough of *Southwark*; or where any prisoner, having been arrested in any county or place other than *Middlesex*, *Surrey*, or the city of *London*, or borough of *Southwark*, shall be rendered in discharge of his bail: it shall and may be lawful for the said court or commissioner, upon the request and at the expence of any of his or her creditor or creditors, to order, in any of such cases, such prisoner to be taken to the gaol of the county or place where such prisoner had, at or lately before such arrest or render, his or her usual place of abode, and to be brought for hearing and examination to the assize or other town of the county, or county of the city or town, to the gaol whereof he shall have been so removed; and such expence incurred by such creditor or creditors shall be repaid to him or them by the assignee or assignees of such prisoner, out of the estate, effects, and property of such prisoner, before any dividend shall be made thereof, 5 G. 4. c. 61. s. 13.

42. The filing of the petition of every person in actual custody, who shall be subject to the several statutes concerning bankrupts, or any of them, and who shall apply by petition to the said court for his or her discharge from confinement, according to the provisions of the said recited acts or this act, or any or either of them, shall be accounted and adjudged an act of bankruptcy from the time of filing his said petition: provided, that no commission of bankrupt shall issue against such person upon such act of bankruptcy, after the said court or commissioner shall have ordered such prisoner to be discharged forthwith, or at any future period, or not to be discharged until a certain period, according to the provisions of the said recited acts and this act, or either of them, 5 G. 4. c. 61. s. 14.

43. Where the said court or commissioner shall, after the filing of any prisoner's petition, and before the said court or commissioner adjudge him entitled to his discharge, appoint one or more assignee or assignees of the estate and effects of such prisoner, and where the said court or commissioner shall appoint one or more assignee or assignees of a prisoner of unsound mind, every such assignee or assignees, as well as such assignee or assignees as have hitherto been in such cases appointed by the said court, shall, if the said court or commissioner shall so direct, cause 14 days' notice to be given in the *London Gazette*, and such one or more newspaper as the said court or commissioner shall order, of the day on which, and place where, a dividend shall be made amongst the creditors of such prisoner, who shall prove their debts before such assignee or assignees, unless such prisoner, or his or her assignee or assignees, or any other creditor of such prisoner, shall object to any such debt, in which case the same shall be examined into by the said court or commissioner, in the manner in the said first recited act mentioned; and every such prisoner shall be thenceforth discharged from the debts of all such creditors who shall accept any such dividend, in the same manner and to the same extent as if the said court or commissioner had declared such prisoner to be entitled to the benefit of the act, and to be discharged out of custody forthwith, and no further or otherwise; and it shall be lawful for the said court or commissioner to make an order accordingly, specifying the debts from which such prisoner shall be so discharged, 5 G. 4. c. 61. s. 15.

44. Whereas 3 G. 4. c. 39. was passed, intituled, "*An Act for preventing frauds upon creditors by secret warrants of attorney to confess judgment*": and whereas it is expedient to extend the provisions of such act; be it therefore enacted, That the last-mentioned act shall extend to the provisional or other assignee or assignees of every prisoner who shall, after the expiration of twenty-one days next after his execution of such warrant of attorney, or his giving of such *cognovit actionem* as therein mentioned, apply by petition to the said court for his or her discharge from confinement, according to the provisions of the said recited acts or either of them, as if the last-mentioned act had been expressly herein enacted; and every such warrant of attorney, and judgment and execution thereon, and every such *cognovit actionem*, and any judgment entered up thereon, and any execution taken out on such judgment, as are declared by the last-mentioned act to be fraudulent and void against the assignees under a commission of bankrupt, shall be deemed equally fraudulent and void against the provisional or other assignee or assignees of such prisoner; and such provisional or other assignee or assignees shall be entitled to recover back and receive, for the use of the creditors of such prisoner, all and every

the monies levied or effects seized under or by virtue of any such judgment or execution, 5 G. 4. c. 61. s. 16.

45. If any prisoner who shall file his petition for his discharge under the said recited acts, or either of them, shall before or after his imprisonment, being in insolvent circumstances, voluntarily convey, assign, transfer, charge, deliver, or make over any estate, real or personal, security for money, bond, bill, note, money, property, goods, or effects whatsoever, to any creditor or creditors, every such conveyance, assignment, transfer, charge, delivery, or making over, shall be deemed and is hereby declared to be fraudulent and void, as against the assignee or assignees of the estate of the said prisoner, appointed under the said acts or either of them: provided, that no such conveyance, assignment, transfer, charge, delivery, or making over, shall be so deemed fraudulent or void, unless made within three months before the filing of the said petition, or with the view or intention by the party so conveying, assigning, transferring, charging, delivering, or making over, or filing a petition for his or her discharge under the said acts or either of them, 5 G. 4. c. 61. s. 17.

46. It shall be lawful for the said court, or chief or other commissioner, to order such portion of the salary, pay, emoluments, or pension of any prisoner, being or having been an officer or clerk, or being or having been otherwise employed or engaged in the service of H. M. in the customs or excise, as on communication from the said court or commissioner to the commissioners of the customs or excise, they may respectively consent to, in writing, to be applied in payment of the debts of such person, and for that purpose to be paid to his assignee or assignees; and such portion of the salary, pay, emoluments, or pension, as shall be specified in such order and consent, shall, upon the same being lodged with the officer or person appointed to pay or paying such salary, pay, emoluments, or pension, be paid to the assignee or assignees of such prisoner until the said court shall make order to the contrary, 5 G. 4. c. 61. s. 18. [See s. 22. pl. 50.]

47. In all cases in which a person shall take the benefit of the said acts, or either of them, and such person shall be entitled to any lease or agreement for a lease, and his assignee or assignees shall accept the same and the benefit thereupon, as part of the insolvent's estate and effects, the insolvent shall not be or be deemed to be liable to pay the rent accruing due after such acceptance of the same as aforesaid; and after such acceptance the insolvent shall not be liable to be in any manner sued in respect or by reason of any subsequent non-observance or non-performance of the conditions, covenants, or agreements therein contained: provided, that in all such cases as aforesaid, it shall be lawful for the lessor or person agreeing to make such lease, his heirs, executors, administrators, or assigns, if the assignee or assignees shall decline, upon his or their being required so to do, to determine whether he or they will or will not accept such lease or agreement for a lease, to apply to the said court or commissioner, praying that he or they may either so accept the same, or deliver up the lease or agreement for the lease, and the possession of the premises demised or intended to be demised; and such court or commissioner shall thereupon make such order as in all the circumstances of the case shall seem meet and just, and such order shall be binding on all parties, 5 G. 4. c. 61. s. 19.

48. Wherever any creditor or creditors opposing a prisoner's discharge, shall prove to the satisfaction of the said court or commissioner, that such prisoner, with intent to conceal the state of his affairs, or to defeat the objects of the said recited acts or this act, or either of them, has destroyed, or otherwise wilfully prevented or purposely withheld the production of any books, papers, or writings relating to such of his affairs as are subject to investigation under the said acts or either of them, or shall have kept or caused to be kept false books, or made false entries, or shall have wilfully and fraudulently altered or falsified any such books, papers, or writings, or shall in any respect have been guilty of fraud in discharging or concealing any debt due to or from the said prisoner, or shall have fraudulently made away with, charged, mortgaged, or concealed any part of his or her property, of what kind soever, either before or after his or her said imprisonment, for the purpose of diminishing the sum to be divided among his or her creditors, or of giving an undue preference to any of the said creditors, the said court shall order the taxed costs of the said opposition to be paid to such opposing creditor or creditors, out of the estate and effects of such prisoner, by his assignee or assignees, before any dividend made thereof; and in all other cases of opposition to a prisoner's discharge being substantiated or effectual, it shall be lawful for the said court, or chief or other commissioner, to make a like order, if it shall to them or him seem fit, 5 G. 4. c. 61. s. 20.

49. It shall be lawful for the chief or any one commissioner, to hear and determine out of court, upon summons to the proper parties, all matters and things relating to any prisoner or person discharged by any act for the relief of insolvent debtors, or to his estate, property, and effects, or his assignee or assignees thereof, except the hearing, re-hear-

ing, or any examination of any such prisoner or person discharged; and the order made in any such behalf by such chief or other commissioner shall be of as full force and effect to all intents and purposes as if the same had been made by the said court, unless the same shall upon application to the said court, at the next following sitting thereof, be by the said court altered or rescinded, 5 G. 4. c. 61. s. 21.

50. It shall be lawful for the said court, or chief or other commissioner to order such portion of the salary, pay, emoluments, or pension of any prisoner, being or having been an officer or clerk, or being or having been otherwise employed or engaged in the service of H. M. in any civil office, or of the court of directors of the honourable E. I. C. or any other department whatsoever, as the said court or chief or other commissioner may order in writing, and as upon communication with the chief officer of the department in which such insolvent may be belonging at the time, or in which he may have served, and to which such chief officer shall consent in writing, to be applied in payment of the debts of such person, and for that purpose to be paid to his assignee or assignees; and such portion of the salary, pay, emoluments, or pension, as shall be specified in such order, shall, upon the same being lodged with the officer or person appointed to pay or paying such salary, pay, emoluments, or pension, be paid to the assignee or assignees of such prisoner, until the said court shall make order to the contrary, 5 G. 4. c. 61. s. 22. [See s. 18. pl. 46.]

51. This act shall commence and take effect upon and after the 1st Sept. 1824, and continue in force until 1st June, 1825, and from thence until the end of the then next session of parliament, 5 G. 4. c. 61. s. 23.

INSURANCE.

1. To repeal so much of 6 G. 1. c. 18. [Stat. Dig. tit. INSURANCE, pl. 28.], as restrains any other corporations than those in the act named, and any societies or partnerships, from effecting marine assurances, and lending money on bottomry, 5 G. 4. c. 114. [See further 6 G. 4. c. 91. post, TRADING COMPANIES.]

2. Whereas by 6 G. 1. c. 18. s. 1. intituled, *An Act for better securing certain powers and privileges, to be granted by H. M. by two charters, for assurance of ships and merchandize at sea and going to sea, and for lending money upon bottomry; and for restraining several extravagant and unwarrantable practices therein mentioned*, H. M. was empowered to incorporate, by two several charters, under the great seal of G. B., two several companies for assurance of ships, goods, and merchandize at sea, or going to sea, and for lending money upon bottomry, by such names as H. M. should think proper; subject nevertheless to redemption and revocation in the manner therein expressed; and that it was further enacted [s. 12. Stat. Dig. this title, pl. 41.], that from and after the granting or making of the said respective charters for erecting the said two corporations, and passing the same under the great seal, for and during the continuance of the same corporations respectively, or either of them, all other corporations or bodies politic

before erected or established, or thereafter to be erected or established, and all such societies or partnerships as then were or thereafter should or might be entered into by any person or persons, for assuring ships or merchandize at sea, or for lending any money upon bottomry, should by force and virtue of the said recited act, be restrained from granting, signing, or underwriting any policy or policies of assurance of or upon any ship or ships, goods or merchandizes, at sea or going to sea, and from lending any monies by way of bottomry; and if any corporation or body politic, or persons acting in such society or partnership, other than the two corporations intended to be established by the said recited act, should presume to grant, sign, or underwrite, after 24th June 1820, any such policy or policies, or make any such contract or contracts for assurance of or upon any such ship or ships, goods or merchandizes at sea or going to sea, or take or agree to take any premium or other reward for such policies, every such policy and policies of assurance of or upon any such ship or ships, goods or merchandizes, should be *ipso facto* void; and every sum and sums so signed or under-written in such policy or policies, should be forfeited and recovered in manner expressed in the said recited act; and that if any corporation or body politic, or persons acting in such society or partnership as aforesaid, other than the two corporations intended to be established by the said recited act, or one of them, should presume to lend, or agree to lend or advance, by themselves or any others on their behalf, after 24th June 1720, any money by way of bottomry as aforesaid, contrary to the said act, the bond or other security for the time should be *ipso facto* void, and such agreement should be adjudged to be an usurious contract, and the offender therein should suffer as in cases of usury: and whereas pursuant to the said act, H. M., by one charter, bearing date the 22d June 1720, created and established one corporation or body politic, called *The Royal Exchange Assurance*; and by another charter, bearing the same date, H. M. created and established another corporation or body politic, called *The London Assurance*; and whereas it is expedient that so much of the said act, as restrains corporations or bodies politic, societies or partnerships, and persons acting in society or partnership, from insuring ships and goods and merchandizes at sea, and from lending money by way of bottomry, should be repealed: it is therefore enacted, That from and after the passing of this act [24th June 1824], so much of the said recited act as restrains any corporation or body politic, society or partnership, or persons acting in any society or partnership, from granting, signing, and underwriting any policy or policies of assurance, or making any contract for assurance, of or upon any ship or ships, or goods or merchandize, at sea or going to sea, or from lending money by way of bottomry, or as makes any such contract void, or declares that the same shall be adjudged usurious, or as imposes any forfeiture or penalty in respect of any such policy of assurance or contract, shall be repealed, 5 G. 4. c. 114. s. 1.

3. Provided, that nothing in this act contained shall extend to affect the rights and privileges of the said corporations of the *Royal Exchange Assurance* and *London Assurance*, otherwise than by making it lawful for other corporations and bodies politic, and persons acting in society or partnership, to grant and make such policies of assurance and contracts of bottomry as herein-before mentioned, 5 G. 4. c. 114. s. 2.

JUDGES.

1. To provide for the augmenting the salaries of the master of the rolls and the vice-chancellor of Eng., the chief baron of the court of exchequer, and the puisne judges and barons of the courts in *Westminster* hall; and to enable H. M. to grant an annuity to such vice-chancellor, and additional annuities to such master of the rolls, chief baron, and puisne judges and barons, on their resignation of their respective offices, 6 G. 4. c. 84. [See as to the salaries of the chiefs of K. B. and C. P., 6 G. 4. cc. 82, 83. ante, tit. COURTS.]

2. Whereas it is expedient that provision should be made for the augmentation of the salaries of the master of the rolls and vice-chancellor of Eng., of the chief baron of the court of exchequer, and of the puisne judges and justices in the courts of K. B. and C. P., and the barons of the coif in the court of exchequer at *Westminster*; and that the total amount of the annual salaries to be payable to the said chief baron, and puisne judges and barons, should be in lieu of all fees and emoluments whatsoever, receivable by them immediately before the passing of this act: be it enacted, That so much and such parts of 39 G. 3. c. 110. [s. 1. Stat. Dig. this title, pl. 13. et seq.] made among other things for the augmentation of the salaries of the judges of the courts

in *Westminster* hall, as relates to the amount of the sums to be issued in augmentation of the salary of the master of the rolls; and also so much of 49 G. 3. c. 127. [s. 2. Stat. Dig. this title, pl. 5.], made among other things for further augmenting the salaries of certain of the judges of the courts in *Westminster* hall, as relates to the chief baron of the court of exchequer, and to the puisne judges and justices in the courts of K. B. and C. P., and to the barons of the coif in the court of exchequer, shall be and the same are hereby repealed, 6 G. 4. c. 84. s. 1.

3. From and after the passing of this act [5th July 1825], there shall be issued and paid and payable out of and charged and chargeable upon the consolidated fund of the U. K. of G. B. and Ire. (after paying or reserving sufficient to pay all such sums of money as have been directed by any former act of parliament to be paid out of the same, but with preference to all other payments which shall or may hereafter be charged upon or payable out of the said fund), to the several persons herein-after mentioned, as an augmentation of their respective salaries, so much money as will make up their respective salaries and pecuniary profits belonging to the said respective officers, to the several annual sums herein-after respectively mentioned; (that is to say),

To the master of the rolls of the court of chancery in Eng., such sum as, with the sums now payable to the said master of the rolls in pursuance of 23 G. 3. c. 25. [Stat. Dig. tit. COURTS (*Chancery*), pl. 44.],

among other things for augmenting the income of the office of master or keeper of the rolls, and in pursuance of 1 G. 4. c. 107., intituled, *An Act for appropriating to the use of the master of the rolls for the time being the rents of the rolls estate, and the dividends of the funds in the court of chancery arising from the surplus rent of that estate*, and with the other fees and emoluments of the said office, will make up the salary of the said office to the annual sum of 7,000*l.* :

To the vice-chancellor of *Eng.*, such sum as, with the sums now payable to the vice-chancellor in pursuance of 53 G. 3. c. 24. [Stat. Dig. tit. Courts (Chancery), pl. 75. et seq.], intituled, *An Act to facilitate the administration of justice*, will make up the salary of the said office to the amount of 6,000*l.* :

To the chief baron of the court of exchequer, such sum as, with the sums now payable to the said chief baron out of the revenues of H. M.'s civil list, after deducting all land tax, pension duty, and other duties and fees charged thereon, or on the said chief baron in respect of his office, and the costs of all books, rolls, and records by him provided in respect thereof, will make up the salary of the said office to the amount of 7,000*l.* :

To each of the puisne judges and justices of the courts of K. B. and C. P., and to each of the barons of the coif in the court of exchequer, such sum as, with the sums now payable to the said puisne judges, justices, and barons of the coif respectively, out of the revenues of H. M.'s civil list, after deducting all land tax, pension duty, and other duties and fees charged thereon, or on the said judges and barons in respect of their offices, will make up the salaries of the said puisne judges, justices, and barons of the coif respectively, to the amount of 5,500*l.* : 6 G. 4. c. 84. s. 2.

4. The said several sums of money to be issued in pursuance of this act, shall be payable and paid quarterly, free and clear from all taxes and deductions whatsoever, on the 5th Jan., the 5th April, the 5th July, and the 10th Oct. in each year, by equal and even portions; the first payment thereupon to be made on the 5th July 1825; and that if any person having such office of master of the rolls, vice-chancellor, chief baron, puisne judge or justice, or baron of the coif respectively, shall die or resign such office, the executors or administrators of the person so dying, or the person so resigning such office, shall be entitled to such proportionable part of the salary of such offices respectively as according to the rates above-mentioned shall have accrued during the time that such person shall have executed any such office respectively as aforesaid; and that the successor of any such person so dying or resigning shall be entitled to have and receive such salary as shall arise and become due from the death or resignation of his predecessor, in like manner as if his patent had borne date on the day next subsequent to the day of the death or resignation of his predecessor, 6 G. 4. c. 84. s. 3.

5. It shall be lawful for H. M., by any letters patent under the great seal of G. B., to give and grant unto any person who may or shall have executed the office of master of the rolls, or chief baron of the exchequer respectively, and who shall respectively have resigned the same, an annuity or yearly sum of money not exceeding the sum of 450*l.*; and to any person who may or shall have executed the office of a puisne judge or justice of the court of K. B. or C. P., or of a baron of the coif of the court of exchequer, and who shall have resigned the same, an annuity or yearly sum of money not exceeding the sum of 900*l.*; and the said several and respective annuities shall be in addition to and in augmentation of the respective annuities or yearly sums allowed to be given and granted to such persons respectively, under 39 G. 3. c. 110., and under 53 G. 3. c. 24., for enabling H. M. to grant additional annuities to the judges of the courts in Westminster hall, on their resignation of their offices; and in like manner to commence from and after the period when the person to whom any such annuity or yearly sum of money shall be granted as aforesaid shall have resigned his said office, and to continue for and during the natural life of the person to whom the same shall be granted as aforesaid; and every such annuity or yearly sum of money shall be issued and payable out of, and charged and chargeable upon the consolidated fund next in order of payment to, and after paying or reserving sufficient to pay all such sums of money as have been directed by any former act of parliament, and as by this act are herein-before directed to be paid out of the same, but with preference to all other payments whatsoever, and shall be payable and paid quarterly, free and clear from all taxes and deductions whatsoever, by even and equal portions, at the like periods, and together with and in the same manner as the annuities and yearly sums which may be given and granted under the said recited acts, and under and subject to the like rules, regulations, and restrictions (so far as the same are applicable), as are contained and prescribed in the 39 G. 3. c. 110., in relation to the annuities or yearly sums of money therein allowed to be given and granted, 6 G. 4. c. 84. s. 4.

6. It shall be lawful for H. M., by any letters patent under the great seal of G. B., to give and grant unto any person executing the office of vice-chancellor of *Eng.* for the time being, an annuity or yearly

sum of money not exceeding the sum of 3,750*l.*, to commence and take effect immediately from and after the period whenever the person to whom such annuity or yearly sum of money shall be granted shall resign the said office of vice-chancellor, and to continue from thenceforth for and during the natural life of the person to whom the same shall be granted as aforesaid; and such annuity or yearly sum shall be issued and payable out of, and charged and chargeable upon the consolidated fund next in order of payment to and after paying and reserving sufficient to pay all such sums of money as have been directed by any former act of parliament, and as are herein-before directed by this act to be paid out of the same, but with preference to all other payments which shall and may hereafter be charged upon or payable out of the said fund; and such annuity or yearly sum shall from time to time be paid and payable quarterly, free and clear of all taxes and deductions whatsoever, at the four usual days of payment in the year; that is to say, the 5th Jan., the 5th April, the 5th July, and the 10th Oct. in each year, by even and equal portions; the first payment to be made on such of the said days as shall next happen after such resignation as aforesaid of the said office: provided, that it shall be lawful for H. M., in and by such letters patent, to limit the duration and payment of any such annuity, or any part thereof, to such periods of time during the natural life of such person in which he shall not execute any office of profit under H. M., so as such annuity, together with the salary and profits of such other office, shall together not exceed in the whole the said sum of 3,750*l.*: provided also, that no such annuity or yearly sum of money granted to any person having executed the office of vice-chancellor shall be valid, unless such person shall have continued in the said office for the period of 15 years, or shall be afflicted with some permanent infirmity disabling him from the due execution of his office, which shall be distinctly recited in the said grant, 6 G. 4. c. 84. s. 5.

7. No fees or pecuniary profits whatever, other than and except the salaries and receipts permitted by this act, shall from and after the 5th July 1825, be received by or be payable to or to the use of the chief baron, or the puisne judges or justices of the courts of K. B. or C. P., or the barons of the coif of the court of exchequer, in respect of the execution of their said offices respectively, either in their respective courts in Westminster hall, or at their respective chambers, in respect of any business depending in the courts of K. B., C. P., or exchequer: any act or acts of parliament, or any law, usage, or statute to the contrary in anywise notwithstanding; and that from and after the 5th July 1825, the several officers of the chief baron, and of each of the puisne judges, justices, and barons of the coif respectively, and the several other persons who have been heretofore used and accustomed to receive such fees and pecuniary profits for the use of the said chief baron, puisne judges, justices and barons respectively, shall continue to receive the same and the like fees for the public use, 6 G. 4. c. 84. s. 6.

8. And whereas by writ of privy seal granted in the 2d Geo. 3., reciting that a reward of 40*l.* per annum, at the rate of 10*l.* in every term, had long since been assigned to the second judge of the court of K. B., in respect of his labour and trouble in giving the charge to the grand jury, and pronouncing judgment in the said court against malefactors, it was declared, that regular payment should be made of the aforesaid termly allowance of 10*l.* to the said second judge of the said court for the time being, in respect of his pains and service above mentioned; be it enacted and declared, That the said termly allowance of 10*l.*, or reward of 40*l.* per annum, is not intended to be included in the fees and pecuniary profits by this act directed to be received and accounted for and paid to the account of the consolidated fund; but that the said termly allowance of 10*l.*, or reward of 40*l.* per annum, shall continue to be paid to the said second judge of the said court of K. B. after the passing of this act, in addition to all other sums of money which such second judge shall be entitled to receive under or by virtue of this act, or any other act or acts, 6 G. 4. c. 84. s. 7.

9. Such officer of the master of the rolls and of the vice-chancellor respectively for the time being, as they shall respectively appoint, shall, as soon as conveniently may be after the expiration of the half year ending on the 5th Jan. 1826, deliver to the treasury, an account signed by such master of the rolls and vice-chancellor respectively, of the amount of all fees paid to the said master of the rolls, and of all sums of money received by or payable to or to the use of such master of the rolls and vice-chancellor respectively, under or by virtue of the several acts herein-before mentioned (after deducting all fees and taxes paid in respect thereof), between the 5th July 1825, and 5th Jan. 1826; and a like account shall be delivered in like manner, in every succeeding half year ending on the 5th July and 5th Jan. in every year, of all fees paid to the said master of the rolls, and for all sums received by or payable to or to the use of the said master of the rolls and vice-chancellor respectively, in respect of their said offices respectively, under the said recited acts for the preceding half year: and in whatever sums the whole amount which shall have been received or were payable to the said master of the rolls and vice-chancellor respectively, in respect of their said

several offices, within the half year preceding the delivery of any such account, shall be less than the clear sum of 7,000*l.* in respect of the said master of the rolls, or of 6,000*l.* in respect of the said vice-chancellor, shall be the sums to be issued for the half year in which the said account shall be delivered, and shall be computed and ascertained so as to make up the whole of their respective salaries and pecuniary profits for such half year, to one half of the amount of the several salaries respectively herein-before mentioned, and such sums shall be issued accordingly, and as if the sums so to be ascertained had been specifically mentioned in this act, 6 G. 4. c. 84. s. 8.

10. Provided, that if any person executing the said offices of master of the rolls or vice-chancellor respectively, shall die, or shall resign such office, the executors or administrators of the person so dying, or the person so resigning the same, shall be entitled to such proportionable part of the clear salary and profits of such offices respectively as aforesaid, as according to the rates above-mentioned shall have accrued during the time that such person shall have executed such office as aforesaid; and the proper officer of the successor of every such person shall on the 5th Jan. or 5th July, as the case may be, which shall be immediately subsequent to every such death or resignation, or as soon after as conveniently may be, deliver in such account as is herein-before required to be delivered, signed by such successor, and also by his predecessor, or the executors or administrators of such predecessor, as the case may be; and such successor and his predecessor, in case of resignation, and the executors or administrators of such predecessor, in case of death, shall be respectively entitled to and shall receive such proportionable part of such sum as upon such account shall be due and payable by virtue of this act as aforesaid; and in case any such person so dying or resigning shall have received, during such part of the half year in which such person shall die or resign, more than a proportionable part of the clear salary of his office, according to the time during which such person shall have executed such office, every such person so resigning, or the executors or administrators of the person so dying, shall pay to the successor of every such person so much as the sums received shall exceed the sums to which such person so dying shall have been entitled according to the provisions of this act, 6 G. 4. c. 84. s. 9.

JURY.

[STATUTES repealed.—See 6 G. 4. c. 50. s. 62. pl. 63.]

STATUTE in force.

1. For consolidating and amending the laws relative to juries and jurors, 6 G. 4. c. 50.

2. Whereas the laws relative to the qualification and summoning of jurors, and the formation of juries in *Eng.* and *Wa.*, are very numerous and complicated, and it is expedient to consolidate and simplify the same, and to increase the number of persons qualified to serve on juries, and to alter the mode of striking special juries, and in some other respects to amend the said laws; be it therefore enacted, That every man, except as herein-after excepted, between the ages of 21 years and 60 years, residing in any county in *Eng.*, who shall have in his own name or in trust for him, within the same county, 10*l.* by the year above reprises in lands or tenements, whether of freehold, copyhold, or customary tenure, or of ancient demesne, or in rents issuing out of any such lands or tenements, or in such lands, tenements, and rents taken together, in fee simple, fee tail, or for the life of himself or some other person, or who shall have within the same county 20*l.* by the year above reprises, in lands or tenements, held by lease or leases for the absolute term of 21 years, or some longer term, or for any term of years determinable on any life or lives, or who being a householder shall be rated or assessed to the poor rate, or to the inhabited house duty in the county of *Middlesex*, on a value of not less than 30*l.*, or in any other county on a value of not less than 20*l.*, or who shall occupy a house containing not less than 15 windows, shall be qualified and shall be liable to serve on juries for the trial of all issues joined in any of the king's courts of record at *Westminster*, and in the superior courts, both civil and criminal, of the three counties palatine, and in all courts of assize, *nisi prius*, oyer and terminer, and gaol delivery, such issues being respectively triable in the county in which every man so qualified respectively shall reside, and shall also be qualified and liable to serve on grand juries in courts of sessions of the peace and on petty juries, for the trial of all issues joined in such courts of sessions of the peace, and triable in the county, riding, or division in which every man so qualified respectively shall reside; and that every man (except as herein-after excepted) being between the aforesaid ages, residing in any county in *Wa.*, and being there qualified to the extent of three-fifths of any of the foregoing qualifications, shall be qualified and shall be liable to serve on juries for the trial of all issues joined in the courts of great sessions, and on grand juries in courts of sessions of the peace, and on petty juries for the trial

of all issues joined in such courts of sessions of the peace, in every county of *Wa.*, in which every man so qualified as last aforesaid respectively shall reside, 6 G. 4. c. 50. s. 1.

3. Provided, that all peers, all judges of the king's courts of record at *Westminster*, and of the courts of great session in *Wa.*; all clergymen in holy orders; all priests of the roman catholic faith who shall have duly taken and subscribed the oaths and declarations required by law; all persons who shall teach or preach in any congregation of protestant dissenters; whose place of meeting is duly registered, and who shall follow no secular occupation except that of a schoolmaster, producing a certificate of some justice of the peace of their having taken the oaths, and subscribed the declaration required by law; all serjeants and barristers at law actually practising; all members of the society of doctors of law, and advocates of the civil law, actually practising; all attornies, solicitors, and proctors duly admitted in any court of law or equity, or of ecclesiastical or admiralty jurisdiction, in which attornies, solicitors, and proctors have usually been admitted, actually practising, and having duly taken out their annual certificates; all officers of any such courts actually exercising the duties of their respective offices; all coroners, gaolers, and keepers of houses of correction; all members and licentiates of the royal college of physicians in *London* actually practising; all surgeons being members of one of the royal colleges of surgeons in *London*, *Edinburgh*, or *Dublin*, and actually practising; all apothecaries certificated by the court of examiners of the apothecaries company, and actually practising; all officers in H. M.'s navy or army on full pay; all pilots licenced by the Trinity-house of *Deptford Strond*, *Kingston-upon-Hull*, or *Newcastle-upon-Tyne*, and all masters of vessels in the buoy and light service employed by either of those corporations, and all pilots licensed by the lord warden of the cinque ports, or under any act of parliament or charter for the regulation of pilots in any other port; all the household servants of H. M.; all officers of customs and excise; all sheriff's officers, high constables, and parish clerks, shall be and are hereby absolutely freed and exempted from being returned, and from serving upon any juries or inquests whatsoever, and shall not be inserted in the lists to be prepared by virtue of this act as herein-after mentioned: provided, that all persons exempt from serving upon juries in any of the courts aforesaid, by virtue of any prescription, charter, grant, or writ, shall continue to have and enjoy such exemption in as ample a manner as before the passing of this act, and shall not be inserted in the lists herein-after mentioned, 6 G. 4. c. 50. s. 2.

4. Provided, that no man, not being a natural born subject of the King, is or shall be qualified to serve on juries or inquests, except only in the cases herein-after expressly provided for; and no man who hath been or shall be attainted of any treason or felony, or convicted of any crime that is infamous, unless he shall have obtained a free pardon, nor any man who is under outlawry or excommunication, is or shall be qualified to serve on juries or inquests in any court, or on any occasion whatsoever, 6 G. 4. c. 50. s. 3.

5. The clerk of the peace in every county, riding, and division in *Eng.* and *Wa.*, shall within the first week of *July* in every year, issue and deliver his warrant (in the form set forth in the schedule hereunto annexed, or as near thereto as may be) to the high constables of each hundred, lathe, wapentake, or other like district, by which he shall command them to issue forth their precepts to the churchwardens and overseers of the poor of the several parishes, and to the overseers of the poor of the several townships within their respective constablewicks, requiring them to prepare and make out, before the 1st *Sept.* then next ensuing, a true list of all men residing within their respective parishes and townships, qualified and liable to serve on juries according to this act as aforesaid, and also to perform and comply with all other the requisitions in the said precepts contained, 6 G. 4. c. 50. s. 4.

6. Every such clerk of the peace shall cause a sufficient number of warrants, precepts, and returns to be printed, according to the several forms set forth in the schedule hereunto annexed, at the expence of the county, riding, or division, and shall annex to every warrant a competent number of precepts and returns, for the use of the respective persons by whom such precepts are to be issued and such returns to be made, 6 G. 4. c. 50. s. 5.

7. Within 14 days after the receipt of such warrant of the clerk of the peace, every high constable shall issue and deliver his precept (in the form set forth in the schedule hereunto annexed, or as near thereto as may be), together with a competent number of the printed forms of returns, to the churchwardens and overseers of the poor of the several parishes, and to the overseers of the poor of the several townships within his constablewick, requiring them by such precept to prepare and make out a true list of all men residing within their respective parishes and townships, qualified and liable to serve as jurors as aforesaid, and to perform and comply with all the requisitions in the said precept contained; provided, that where in any hundred, lathe, wapentake, or other like district, there shall be more than one high constable, in such case the clerk of the peace shall issue

and deliver his warrant, together with a competent number of the precepts and returns as aforesaid, to every one of such high constables, each of whom shall be individually liable for the due performance of the several matters commanded in such warrant throughout the whole of such hundred, lathe, wapentake, or other like district, and shall for the non-performance thereof be subject to all and every the penalties by this act imposed upon any high constable; provided also, that where in any parish there shall be no overseers of the poor, other than the churchwardens, such churchwardens shall be deemed and taken to be the churchwardens and overseers of the poor of such parish within the meaning of this act, to all intents and purposes; provided also, that where any parish or township shall extend into more than one hundred, lathe, wapentake, or other like district, either in the same or different counties, such parish or township shall be deemed and taken, for all the purposes of this act, to be within that hundred, lathe, wapentake, or other like district, in which the principal church of such parish or township shall be situate, 6 G. 4. c. 50. s. 6.

8. It shall be lawful for the justices of the peace of any division in *Eng.* or *Wa.* at a special petty sessions to be holden for that purpose before the first day of *July* in any year, to make an order for annexing any extra-parochial place, whenever they shall think it expedient, to any parish or township adjoining thereto, for the purposes of this act, and a copy of such order shall, within five days from the making thereof, be served upon the churchwardens and overseers of such adjoining parish, or upon the overseers of such adjoining township, and such extra-parochial place shall from thence continually be deemed and taken, for all the purposes of this act, to be within and to form an integral part of such parish or township; and the churchwardens and overseers of such parish, and the overseers of such township shall be, and they are hereby respectively authorized and required to make out, according to this act, a true list of all men qualified and liable to serve on juries as aforesaid, residing as well in their own respective parish or township as in the extra-parochial place thereto annexed, and shall from time to time perform and execute within such extra-parochial place for the purposes of this act, but for no other purpose, all and every the same acts, duties, powers, and authorities, as in their own respective parish or township, and shall be as fully liable to the same penalties for the non-performance thereof within such extra-parochial place, as if they had in every instance been mentioned in this act with reference to such extra-parochial place, 6 G. 4. c. 50. s. 7.

9. The churchwardens and overseers of every parish, and the overseers of every township, within the meaning of this act, shall forthwith, after the receipt of such precept from the high constable, prepare and make out in alphabetical order a true list of every man residing within their respective parishes or townships, who shall be qualified and liable to serve on juries as aforesaid, with the christian and surname written at full length, and with the true place of abode, the title, quality, calling, or business, and the nature of the qualification of every such man, in the proper columns of the form of return set forth in the schedule hereunto annexed, 6 G. 4. c. 50. s. 8.

10. The churchwardens and overseers of each parish, and the overseers of each township, having made out according to this act a list of every man qualified and liable to serve on juries as aforesaid, shall, on the three first *Sundays* in the month of *Sept.*, fix a true copy of such list upon the principal door of every church, chapel, and other public place of religious worship within their respective parishes or townships, having first subjoined to every such copy a notice, stating that all objections to the list will be heard by the justices of the peace at a time and place to be mentioned in such notice, and having also signed their names at the foot of such copy, and shall likewise keep the original list, or a true copy thereof, to be perused by any of the inhabitants of their respective parishes or townships, at any reasonable time during the three first weeks of the month of *Sept.*, without any fee or reward, to the end that notice may be given of men qualified who are omitted, or of men inserted who ought to be omitted out of such list; and the churchwardens and overseers of each parish, and the overseers of each township, are hereby authorized to cause a sufficient number of copies of such lists for the purposes aforesaid, to be printed at the expence of their respective parishes or townships, 6 G. 4. c. 50. s. 9.

11. The justices of the peace in every division in *Eng.* and *Wa.* shall hold a special petty sessions for the purposes herein-mentioned, within the last seven days of *Sept.* in every year, on some day and at some place, of which notice shall be given by their clerk, before the 20th *Aug.* next preceding, to the high constable and to the churchwardens and overseers of every parish, and to the overseers of every township, within such division; and the churchwardens and overseers of each parish, and the overseers of each township, shall then and there produce the list of men qualified and liable to serve on juries as aforesaid within their respective parishes or townships, by them prepared and made out, as herein-before directed, and shall answer upon oath such questions touch-

ing the same as shall be put to them, or any of them, by the justices then present; and if any man not qualified and liable to serve on juries as aforesaid is inserted in any such list, it shall be lawful for the said justices, upon satisfaction from the oath of the party complaining, or other proof, or upon their own knowledge, that he is not qualified and liable to serve on juries, to strike his name out of such list, and also to strike thereout the names of men disabled by lunacy or imbecility of mind, or by deafness, blindness, or other permanent infirmity of body, from serving on juries; and it shall also be lawful for such justices to insert in such list the name of any man omitted therein, and likewise to reform any errors or omissions which shall appear to them to have been committed in respect to the name, place of abode, title, quality, calling, business, or the nature of the qualification of any man included in any such list: provided, that no man's name, if omitted, shall be inserted in such list, nor shall any error or omission in the description of any man in such list be reformed by the said justices, unless upon the application of such men respectively, or unless such men respectively shall have had notice that an application for such purpose would be made to the justices at such petty sessions, or unless the said justices at such sessions, or any two of them, shall cause notice to be given to such men respectively, requiring them to show cause, at some adjournment of such petty sessions to be holden within four days thereafter, why their names should not be inserted in such list, or why any error or omission in the description of such men in such list should not be reformed; and when every such list shall be duly corrected at such sessions, or at such adjournment thereof, it shall be allowed by the justices present, or two of them, at such sessions or such adjournment, who shall sign the same, with their allowance thereof; and the high constable shall receive every list so allowed, and deliver the same to the court of quarter sessions next holden for the county, riding, or division, on the first day of its sitting, at the same time attesting on oath his receipt of every such list from the petty sessions, and that no alteration hath been made therein since his receipt thereof, 6 G. 4. c. 50. s. 10.

12. The respective churchwardens and overseers of every parish, and the overseers of every township, shall, for their assistance in completing the lists, pursuant to the intent of this act (upon request made by them or any of them at any reasonable time between the 1st *July* and the 1st *Oct.* in every year to any collector or assessor of taxes, or to any other officer having the custody of any duplicate or tax assessment for such parish or township), have free liberty to inspect any such duplicate or assessment, and take from thence the names of such men qualified to serve on juries, dwelling within their respective parishes or townships, as may appear to them or any of them to be necessary or useful; and every court of petty sessions and justice of the peace shall, upon the like request to any collector or assessor of taxes, or any other officer having the custody of any duplicate or tax assessment, or to any churchwarden or churchwardens, or overseer or overseers, having the custody of any poor rate within their respective divisions, have the like free liberty to inspect and make extracts from any such duplicate, tax assessment, or poor rate, for the purpose of assisting them in the reformation and completion of the jury lists within their respective divisions, 6 G. 4. c. 50. s. 11.

13. The clerk of the peace shall keep the lists, so returned by the high constable to the court of quarter sessions, among the records of the sessions, arranged with every hundred in alphabetical order, and every parish or township within such hundred, likewise in alphabetical order, and shall cause the same to be fairly and truly copied in the same order, in a book to be by him provided for that purpose, at the expence of the county, riding, or division, with proper columns for making the register herein-after directed, and shall deliver the same book to the sheriff of the county or his under-sheriff, within six weeks next after the close of such sessions, which book shall be called "The Jurors' Book for the Year" (inserting the calendar year for which such book is to be in use); and that every sheriff on quitting his office shall deliver the same to the succeeding sheriff; and that every jurors' book so prepared shall be brought into use on the first day of *Jan.* after it shall be so delivered by the clerk of the peace to the sheriff or his under-sheriff, and shall be used for one year then next following, 6 G. 4. c. 50. s. 12.

14. Every writ of *venire facias juratores* for the trial of any issue whatsoever, whether civil or criminal, or on any penal statute, in any of the courts in *Eng.* or *Wa.* herein-before mentioned, shall direct the sheriff to return twelve good and lawful men of the body of his county, qualified according to law, and the rest of the writ shall proceed in the accustomed form; and that every precept to be issued for the return of jurors before courts of oyer and terminer, gaol delivery, the superior criminal courts of the three counties palatine, and courts of sessions of the peace in *Eng.* and before the courts of great sessions and sessions of the peace in *Wa.*, shall in like manner direct the sheriff to return a competent number of good and lawful men of the body of his county, qualified according to law, and shall not require the same to be returned from any hundred or hundreds, or from any particular venue within the

county, and that the want of hundredors shall be no cause of challenge; any law, custom, or usage to the contrary notwithstanding, 6 G. 4. c. 50. s. 13.

15. Every sheriff, upon the receipt of every such writ of *venire facias* and precept for the return of jurors, shall return the names of men contained in the jurors' book for the then current year, and no others; and that where process for returning a jury for the trial of any of the issues aforesaid shall be directed to any coroner, elisor, or other minister, he shall have free access to the jurors' book for the current year, and shall in like manner return the names of men contained therein, and no others: provided, that if there shall be no jurors' book in existence for the current year, it shall be lawful to return jurors from the jurors' book for the year preceding, 6 G. 4. c. 50. s. 14.

16. Every sheriff or other minister to whom the return of juries for the trial of issues before any court of assize or *nisi prius* in any county of *Eng.*, except the counties palatine, may belong, shall, upon his return of every writ of *venire facias* (unless in causes intended to be tried at bar, or in cases where a special jury shall be struck by order or rule of court), annex a panel to the said writ, containing the names alphabetically arranged, together with the places of abode and additions, of a competent number of jurors named in the jurors' book, and that the names of the same jurors shall be inserted in the panel annexed to every *venire facias* for the trial of all issues at the same assizes or sessions of *nisi prius* in each respective county, which number of jurors shall not in any county be less than 48 nor more than 72, unless by the direction of the judges appointed to hold the assizes or sessions of *nisi prius* in the same county, or one of them, who are and is hereby empowered, by order under their or his hands or hand, to direct a greater or lesser number, and then such number as shall be so directed shall be the number to be returned; and that in the writ of *habeas corpora juratorum* or *distringas*, subsequent to such writ of *venire facias*, it shall not be requisite to insert the names of all the jurors contained in such panel, but it shall be sufficient to insert in the mandatory part of such writs respectively, "the bodies of the several persons in the panel to this writ annexed named," or words of the like import; and to annex to such writs respectively panels containing the same names as were returned in the panel to such *venire facias*, with their places of abode and additions; and that for making the returns and panels aforesaid, and annexing the same to the respective writs, the ancient legal fee, and no other, shall be taken; and that the men named in such panels, and no others, shall be summoned to serve on juries at the then next court of assizes or sessions of *nisi prius* for the respective counties named in such writs, 6 G. 4. c. 50. s. 15.

17. If any plaintiff or demandant in any cause which shall be at issue in any of H. M.'s courts of record at *Westminster*, or any defendant in any action of *quare impedit* or *replevin* which shall be so at issue, shall sue out any writ of *venire facias*, upon which any writ of *habeas corpora* or *distringas* with a *nisi prius* shall issue, in order to the trial of the said issue at the assizes or sessions of *nisi prius*, and shall not proceed to trial at the first assizes or sessions of *nisi prius* after the *teste* of such writ of *habeas corpora* or *distringas*, then and in every such case (except when a view by jurors shall be directed, as herein-after mentioned) such plaintiff, demandant, or defendant, whensoever he shall think fit to try the said issue at any other assizes or sessions of *nisi prius*, shall sue forth a new writ of *venire facias* commanding the sheriff to return anew twelve good and lawful men of the body of his county, qualified according to law, and the rest of the writ shall proceed in the accustomed manner; which writ being duly returned, a writ of *habeas corpora* or *distringas* with a *nisi prius* shall issue thereupon (for which the same fees shall be paid as in the case of the *pluries habeas corpora* or *distringas* with a *nisi prius*), upon which such plaintiff, demandant, or defendant shall and may proceed to trial as lawfully and effectually to all intents and purposes as if no former writ of *venire facias* had been prosecuted in that cause, and so *toties quoties*, as the case shall require; and if any defendant or tenant in any action depending in any of the said courts shall be minded to bring to trial any issue joined against him, where by the practice of the court he may do the same by proviso, he shall or may, of the issuable term next preceding such intended trial to be had at the next assizes or sessions of *nisi prius*, sue out a new *venire facias* to the sheriff in the form aforesaid by proviso, and prosecute the same by writ of *habeas corpora* or *distringas* with a *nisi prius*, as lawfully and effectually to all intents and purposes as if no former writ of *venire facias* had been sued out or returned in that cause, and so *toties quoties*, as the matter shall require, 6 G. 4. c. 50. s. 16.

18. Every sheriff or other minister to whom the return of juries for the trial of causes in the superior courts of the said counties palatine may belong, shall, 10 days at least before the said courts shall respectively be held, summon a competent number of men, named in the jurors' book, to serve on juries in the said courts, so as such number be not less than 48 nor more than 72, without the direction of the judge or judges of the courts for such counties palatine respectively; and the

sheriff or other minister who shall summon such jurors shall return a list containing the names, alphabetically arranged, and the places of abode and additions of the jurors so summoned, on the first day of the court to be held for the said counties palatine respectively; and the jurors so summoned, or a competent number of them, as the judge or judges of such courts respectively shall direct, and no others (unless in cases where a special jury shall be struck), shall be named in every panel to be annexed to every writ of *venire facias juratores, habeas corpora juratorum*, and *distringas*, which shall be issued out and returnable for the trial of causes in such courts respectively, 6 G. 4. c. 50. s. 17.

19. Every sheriff or other minister to whom the return of juries for the trial of causes in the court of great sessions in any county of *Wa.* may belong, shall, at least 10 days before every great sessions, summon a competent number of men named in the jurors' book, so as such number be not less than 48 or more than 72, without the direction of the judge or judges of the great sessions for such county, who is and are hereby empowered, if he or they shall see cause, by rule of court, or by an order of any judge thereof, to be made in vacation, if necessary, to direct a greater or lesser number to be summoned; and that the sheriff or other minister who shall summon such jurors shall return a list containing the names, alphabetically arranged, and the places of abode and additions of the jurors so summoned, at the first court of the second day of every great sessions; and that the jurors so summoned, or a competent number of them, as the judge or judges of such great sessions shall direct, and no others (unless in cases where a special jury shall be struck), shall be named in every panel to be annexed to every writ of *venire facias juratores, habeas corpora juratorum*, and *distringas*, which shall be issued out and returnable for the trial of causes at such great sessions, 6 G. 4. c. 50. s. 18.

20. The sheriff or other minister to whom the return of jurors for the trial of causes in any county in *Eng.* (except the counties palatine) may belong, shall cause to be made out an alphabetical list of the names of all the jurors contained in the panels to the several writs of *venire facias* annexed as aforesaid, with their respective places of abode and additions; and the sheriff or other minister to whom the return of jurors for the trial of causes in any county palatine, or in any county in *Wa.*, may belong, shall cause to be made out in like manner a list of all the jurors so summoned in such respective counties as aforesaid; and every such sheriff or other minister shall keep such list in the office of his under-sheriff or deputy for seven days at least before the sitting of the next court of assize or *nisi prius*, or the next court to be holden for any county palatine, or the next court of great sessions in any county in *Wa.*; and the parties in all causes to be tried at any such court of assize or *nisi prius*, or court of any county palatine or great sessions, and their respective attornies, shall, on demand, have full liberty to inspect such list, without any fee or reward to be paid for inspection, 6 G. 4. c. 50. s. 19.

21. Provided, That the court of K. B. and all courts of *oyer and terminer*, gaol delivery, the superior criminal courts of the three counties palatine, and courts of sessions of the peace in *Eng.*, and all courts of great sessions and sessions of the peace in *Wa.*, shall respectively have and exercise the same power and authority as they have heretofore had and exercised in issuing any writ or precept, or in making any award or order, orally or otherwise, for the return of a jury for the trial of any issue before any of such courts respectively, or for the amending or enlarging the panel of jurors returned for the trial of any such issue; and the return to every such writ, precept, award, or order, shall be made in the manner heretofore used and accustomed in such courts respectively, save and except, that the jurors shall be returned from the body of the county, and not from any hundred or hundreds, or from any particular venue within the county, and shall be qualified according to this act, 6 G. 4. c. 50. s. 20.

22. When any person is indicted for high treason or misprision of treason, in any court other than the court of K. B., a list of the petit jury, mentioning the names, profession, and place of abode of the jurors, shall be given at the same time that the copy of the indictment is delivered to the party indicted, which shall be 10 days before the arraignment, and in the presence of two or more credible witnesses; and when any person is indicted for high treason or misprision of treason in the court of K. B., a copy of the indictment shall be delivered within the time and in the manner aforesaid; but the list of the petit jury, made out as aforesaid, may be delivered to the party indicted at any time after the arraignment, so as the same be delivered 10 days before the day of trial: provided, that nothing herein contained shall any ways extend to any indictment for high treason in compassing and imagining the death of the King, or for misprision of such treason, where the overt act or overt acts of such treason alledged in the indictment shall be assassination or killing of the King, or any direct attempt against his life, or any direct attempt against his person, whereby his life may be endangered, or his person may suffer bodily harm; or to any indictment of high treason for counterfeiting H. M.'s coin, the great seal or

privy seal, his sign manual or privy signet; or to any indictment of high treason, or to any proceedings thereupon, against any offender who by any act now in force is to be indicted, arraigned, tried, and convicted by such like evidence, and in such manner as is used and allowed against offenders for counterfeiting H. M.'s coin, 6 G. 4. c. 50. s. 21.

23. In any county in which the justices of assize in *Eng.*, or the justices of the superior courts of the said counties palatine, or the judges of the great sessions in any county of *Wa.*, shall think fit so to direct, the sheriff or other minister to whom the return of the *venire facias juratores*, or other process for the trial of causes at *nisi prius*, doth belong, shall summon and impanel such number of jurors, not exceeding 144, as such judges or justices respectively shall think fit to direct, to serve indiscriminately on the criminal and civil side; and that where such judges or justices respectively shall so direct, the sheriff or other minister shall divide such jurors equally into two sets, the first of which sets shall attend and serve for so many days at the beginning of each assize or great sessions, as such judges or justices respectively shall, within a reasonable time before the commencement of such assize or great sessions, respectively think fit to direct, and the other of which sets shall attend and serve for the residue of such assize or great sessions: provided, that such sheriff or other minister shall, in the summons to the jurors in each of such sets, specify whether the juror named therein is in the first or second set, and at what time the attendance of such juror will be required; and the sheriff or other minister to whom the return of the *venire facias juratores*, or other process for the trial of causes at *nisi prius*, doth belong, shall, upon his return of every such writ or process, annex thereto a panel containing the names, alphabetically arranged, together with the additions and places of abode, of the jurors in each of such sets; and during the attendance and service of the first of such sets, the jury on the civil side shall be drawn from the names of the persons in that set, and during the attendance and service of the second of such sets, from the names of the persons in such second set: provided, that in any case wherein an order for a view shall have been obtained as herein-after mentioned, it shall be lawful for the judge before whom such case is to be tried, and he is hereby required, on the application of the party obtaining such order, to appoint such case to be tried during the attendance and service of that set of jurors in which the viewers, or the major part of them, are included, 6 G. 4. c. 50. s. 22.

24. Where in any case either civil or criminal, or on any penal statute, depending in any of the said courts of record at *Westminster* or in the counties palatine, or great sessions in *Wa.*, it shall appear to any of the respective courts, or to any judge thereof in vacation, that it will be proper and necessary that some of the jurors who are to try the issues in such case should have the view of the place in question, in order to their better understanding the evidence that may be given upon the trial of such issues, in every such case such court, or any judge thereof in vacation, may order a rule to be drawn up, containing the usual terms, and also requiring, if such court or judge shall so think fit, the party applying for the view to deposit in the hands of the under-sheriff a sum of money to be named in the rule for payment of the expences of the view, and commanding special writs of *venire facias*, *distringas*, or *habeas corpora*, to issue, by which the sheriff or other minister to whom the said writs shall be directed shall be commanded to have six or more of the jurors named in such writs, or in the panels thereto annexed (who shall be mutually consented to by the parties, or, if they cannot agree, shall be nominated by the sheriff or such other minister as aforesaid), at the place in question, some convenient time before the trial, who then and there shall have the place in question shown to them by two persons in the said writs named, to be appointed by the court or judge; and the said sheriff or other minister who is to execute any such writ shall, by a special return upon the same, certify that the view hath been had according to the command of the same, and shall specify the names of the viewers, 6 G. 4. c. 50. s. 25.

25. Where a view shall be allowed in any case, those men who shall have had the view, or such of them as shall appear upon the jury to try the issue, shall be first sworn, and so many only shall be added to the viewers who shall appear, as shall, after all defaulters and challenges allowed, make up a full jury of twelve, 6 G. 4. c. 50. s. 24.

26. The summons of every man to serve on juries, not being special juries, in any of the courts aforesaid, shall be made by the proper officer 10 days at the least before the day on which the juror is to attend, by showing to the man to be summoned, or in case he shall be absent from the usual place of his abode, by leaving with some person there inhabiting, a note in writing, under the hand of the sheriff or other proper officer, containing the substance of such summons; and the summons of every man to serve on special juries in any of the courts aforesaid shall be made by the like persons, and in the like manner as aforesaid, three days at the least before the day on which the special juror is to attend: provided, that this act shall not require any longer time for summoning any jurors in the city of *London* or county of *Mid-*

dlesex than has been heretofore by law required, nor shall give any longer time for the return of any writ of *venire facias*, *habeas corpora*, or *distringas*, than has been heretofore by law required; but that where there shall not be 10 days between the awarding of such writ and the return thereof, every juror may be summoned, attached or distrained, to appear at the day and time therein mentioned, as he might heretofore have been, 6 G. 4. c. 150. s. 25.

27. The name of each man who shall be summoned and impanelled in any court of assize or *nisi prius*, or for the trial of issues in the civil courts of the counties palatine or great sessions, with the place of his abode and addition, shall be written on a distinct piece of parchment or card, such pieces of parchment or card being all as nearly as may be of equal size, and shall be delivered unto the associate or prothonotary of such court by the under-sheriff of the county, or the secondary of the city of *London*, and shall, by direction and care of such associate or prothonotary, be put together in a box to be provided for that purpose, and when any issue shall be brought on to be tried, such associate or prothonotary shall in open court draw out 12 of the said parchments or cards one after another, and if any of the men whose names shall be so drawn shall not appear, or shall be challenged and set aside, then such further number, until 12 men be drawn, who shall appear, and after all just causes of challenge allowed, shall remain as fair and indifferent; and the said 12 men so first drawn and appearing, and approved as indifferent, their names being marked in the panel, and they being sworn, shall be the jury to try the issue, and the names of the men so drawn and sworn shall be kept apart by themselves until such jury shall have given in their verdict, and the same shall be recorded, or until such jury shall, by consent of the parties or by leave of the court, be discharged, and then the same names shall be returned to the box, there to be kept with the other names remaining at that time undrawn, and so *toties quoties* as long as any issue remains to be tried: provided, that if any issue shall be brought on to be tried in any of the said courts before the jury in any other issue shall have brought in their verdict or been discharged, it shall be lawful for the court to order 12 of the residue of the said parchments or cards, not containing the names of any of the jurors who shall not have so brought in their verdict or been discharged, to be drawn in such manner as is aforesaid, for the trial of the issue which shall be so brought on to be tried: provided also, that where no objection shall be made on behalf of the King or any other party, it shall be lawful for the court to try any issue with the same jury that shall have previously tried or been drawn to try any other issue, without their names being returned to the box and redrawn, or to order the name or names of any man or men on such jury, whom both parties may consent to withdraw, or who may be justly challenged or excused by the court, to be set aside, and another name or other names to be drawn from the box, and to try the issue with the residue of such original jury, and with such man or men whose name or names shall be so drawn, and who shall appear and be approved as indifferent, and so *toties quoties* as long as any issue remains to be tried, 6 G. 4. c. 50. s. 26.

28. If any man shall be returned as a juror for the trial of any issue in any of the courts herein-before mentioned, who shall not be qualified according to this act, the want of such qualification shall be good cause of challenge, and he shall be discharged upon such challenge, if the court shall be satisfied of the fact; and that if any man returned as a juror for the trial of any such issue shall be qualified in other respects according to this act, the want of freehold shall not on such trial in any case, civil or criminal, be accepted as good cause of challenge, either by the crown or by the party, nor as cause for discharging the man so returned upon his own application; any law, custom, or usage to the contrary notwithstanding; provided, that nothing herein contained shall extend in any wise to any special juror, 6 G. 4. c. 50. s. 27.

29. No challenge shall be taken to any panel of jurors for want of a knight's being returned in such panel, nor any array quashed by reason of any such challenge; any law, custom, or usage to the contrary notwithstanding, 6 G. 4. c. 50. s. 28.

30. In all inquests to be taken before any of the courts herein-before mentioned, wherein the King is a party, howsoever it be, notwithstanding it be alleged by them that sue for the King, that the jurors of those inquests, or some of them, be not indifferent for the King, yet such inquests shall not remain untaken for that cause; but if they that sue for the King will challenge any of those jurors, they shall assign of their challenge a cause certain, and the truth of the same challenge shall be inquired of according to the custom of the court; and it shall be proceeded to the taking of the same inquisitions, as it shall be found, if the challenges be true or not, after the discretion of the court; and that no person arraigned for murder or felony shall be admitted to any peremptory challenge above the number of twenty, 6 G. 4. c. 50. s. 29.

31. It is and shall be lawful for H. M.'s courts of K. B., C. P., and exchequer at *Westminster* respectively, and for the judges of the said courts of the three counties palatine, and of the courts of great sessions

in *Wa.*, upon motion made on behalf of the King, or upon the motion of any prosecutor, relator, plaintiff, or demandant, or of any defendant or tenant, in any case whatsoever, whether civil or criminal, or on any penal statute, excepting only indictments for treason or felony, depending in any of the said courts, and the said courts and judges respectively are hereby authorized, in any of the cases before mentioned, to order and appoint a special jury to be struck before the proper officer of each respective court, for the trial of any issue joined in any of the said cases, and triable by a jury, in such manner as the said courts respectively have usually ordered the same; and every jury so struck shall be the jury returned for the trial of such issue, 6 G. 4. c. 50. s. 30.

32. Every man who shall be described in the jurors' book for any county in *Eng.* or *Wa.*, or for the county of the city of *London*, as an esquire or person of higher degree, or as a banker or merchant, shall be qualified and liable to serve on special juries in every such county in *Eng.* and *Wa.*, and in *London* respectively; and the sheriff of every county in *Eng.* and *Wa.*, or his under-sheriff, and the sheriffs of *London* or their secondary, shall, within 10 days after the delivery of the jurors' book for the current year to either of them, take from such book the names of all men who shall be described therein as esquires or persons of higher degree, or as bankers or merchants, and shall respectively cause the names of all such men to be fairly and truly copied out in alphabetical order, together with their respective places of abode and additions, in a separate list to be subjoined to the jurors' book, which list shall be called "The Special Jurors' List," and shall prefix to every name in such list its proper number, beginning the numbers from the first name, and continuing them in a regular arithmetical series down to the last name, and shall cause the said several numbers to be written upon distinct pieces of parchment or card, being all as nearly as may be of equal size, and after all the said numbers shall have been so written, shall put the same together in a separate drawer or box, and shall there safely keep the same to be used for the purpose herein-after mentioned, 6 G. 4. c. 50. s. 31.

33. Whenever any of the courts or judges above mentioned shall order a special jury to be struck before the proper officer of such court, such officer shall appoint a time and place for the nomination of such special jury; and a copy of the rule of court, and of such officer's appointment, shall be served on the under-sheriff of the county in *Eng.* or *Wa.* in which the trial is to be had, or on the secondary of the city of *London*, if the trial is to be had there, and also on all the parties who have usually been served with the same respectively, in the accustomed manner; and the said officer, at the time and place appointed, being attended by such under-sheriff or secondary, or his agent, who are hereby respectively required to bring with them the jurors' book and such special jurors' list, and all the numbers so written on distinct pieces of parchment or card as aforesaid, shall, in the presence of all the parties in any of the cases aforesaid, and of their attornies (if they respectively choose to attend, or if the said parties or their attornies, all or any of them, do not attend, then in their absence), put all the said numbers into a box, to be by him provided for that purpose, and after having shaken them together shall draw out of the said box 48 of the said numbers, one after another, and shall, as each number is drawn, refer to the corresponding number in the special jurors' list, and read aloud the name designated by such number; and if at the time of so reading any name, either party or his attorney shall object that the man whose name shall have been so referred to is in any manner incapacitated from serving on the said jury, and shall also then and there prove the same to the satisfaction of the said officer, such name shall be set aside, and the said officer shall instead thereof draw out of the said box another number, and shall in like manner refer to the corresponding number in the said list, and read aloud the name designated thereby, which name may be in like manner set aside, and other numbers and names shall in every such case be resorted to, according to the mode of proceeding herein-before described, for the purpose of supplying names in the places of those set aside, until the whole number of 48 names not liable to be set aside shall be completed: and if in any case it shall so happen that the whole number of 48 names cannot be obtained from the special jurors' list, in such case the said officer shall fairly and indifferently take, according to the mode of nomination heretofore pursued in nominating special juries, such a number of names from the general jurors' book, in addition to those already taken from the special jurors' list, as shall be required to make up the full number of 48 names, all and every of which 48 names shall in such case be equally deemed and taken to be those of special jurors; and the said officer shall afterwards make out for each party a list of the 48 names together with their respective places of abode and additions, and after having made out such list, shall return all the numbers so drawn out, together with all the numbers remaining undrawn, to such under-sheriff or secondary, or his agent, to be by such under-sheriff or secondary safely and securely kept for future use; and all the subsequent proceedings for reducing the said list, and all other matters whatsoever re-

lating to special juries, shall remain and continue in force as heretofore, except where the same or any part thereof is expressly altered by this act; and all the fees heretofore payable on the striking of special juries, shall continue to be paid in the accustomed manner, 6 G. 4. c. 50. s. 32.

34. Provided, that nothing herein contained shall be construed to prevent the parties in any cause, or their attornies, from consenting to have a special jury nominated according to the mode used and accustomed before the passing of this act, and upon a consent to that effect, signed by each party or his attorney, being communicated to the proper officer, he is hereby authorized and required to nominate a special jury for the trial of every such cause, according to the mode used and accustomed before the passing of this act: provided also, that nothing herein contained shall be construed to prevent the same special jury, however nominated, from trying any number of causes, so as the parties in every such cause, or their attornies, shall have signified their assent in writing to the nomination of such special jury for the trial of their respective causes: provided, that it shall be lawful for the court, if it shall so think fit, upon the application of any man who shall have served upon one or more special juries at any assizes or sessions of *nisi prius*, to discharge such man from serving upon any other special jury during the same assizes or sessions of *nisi prius*, 6 G. 4. c. 50. s. 33.

35. The person or party who shall apply for a special jury, shall pay the fees for striking such jury, and all the expences occasioned by the trial of the cause by the same, and shall not have any further or other allowance for the same, upon taxation of costs, than such person or party would be entitled unto in case the cause had been tried by a common jury; unless the judge before whom the cause is tried shall, immediately after the verdict, certify, under his hand, upon the back of the record, that the same was a cause proper to be tried by a special jury, 6 G. 4. c. 50. s. 34.

36. No juror who shall serve upon any special jury shall be allowed or take for serving on any such jury more than such sum of money as the judge who tries the issue shall think just and reasonable, and which shall not exceed the sum of 1*l.* 1*s.*, except in causes wherein a view is directed, and shall have been had by such juror, 6 G. 4. c. 50. s. 35.

37. Provided, that where any special jury shall be ordered, by any rule in any of the courts aforesaid, to be struck by the proper officer of such court, in any cause arising in any county of a city or town, except the city of *London*, the sheriff or sheriffs thereof, or the under-sheriff respectively, shall be commanded by such rule to bring or cause to be brought, before the proper officer of such court, the books or lists of persons qualified to serve on juries within the same county of a city or town; and in every such case the jury shall be taken and struck out of such books or lists respectively, in the manner heretofore used and accustomed; any thing in this act to the contrary notwithstanding, 6 G. 4. c. 50. s. 36.

38. Where a full jury shall not appear before any court of assize or *nisi prius*, or before any of the superior civil courts of the three counties palatine, or before any court of great sessions, or where, after appearance of a full jury, by challenge of any of the parties, the jury is likely to remain untaken for default of jurors, every such court, upon request made for the King by any one thereto authorized or assigned by the court, or on request made by the parties, plaintiff or demandant, defendant or tenant, or their respective attornies, in any action or suit, whether popular or private, shall command the sheriff or other minister, to whom the making of the return shall belong, to name and appoint, as often as need shall require, so many of such other able men of the county then present as shall make up a full jury; and the sheriff or other minister aforesaid shall, at such command of the court, return such men duly qualified as shall be present or can be found to serve on such jury, and shall add and annex their names to the former panel: provided, that where a special jury shall have been struck for the trial of any issue, the talesmen shall be such as shall be impanelled upon the common jury panel to serve at the same court, if a sufficient number of such men can be found; and the King, by any one so authorized or assigned as aforesaid, and all and every the parties aforesaid, shall and may, in each of the cases aforesaid, have their respective challenges to the jurors so added and annexed, and the court shall proceed to the trial of every such issue with those jurors who were before impanelled, together with the talesmen so newly added and annexed, as if all the said jurors had been returned upon the writ or precept awarded to try the issue, 6 G. 4. c. 50. s. 37.

39. If any man having been duly summoned to attend on any kind of jury in any of the courts in *Eng.* or *Wa.* herein-before mentioned, shall not attend in pursuance of such summons, or being thrice called shall not answer to his name, or if any such man, or any talesman, after having been called, shall be present but not appear, or after his appearance shall wilfully withdraw himself from the presence of the court, the court shall set such fine upon every such man or talesman so making default (unless some reasonable excuse shall be proved by oath or affidavit), as

the court shall think meet: provided, that where any viewer, having been duly summoned to attend on any jury, shall make default as aforesaid, the court is hereby authorized and required to set upon such viewer unless some reasonable excuse shall be proved as aforesaid) a fine to the amount of 10*l.* at the least, and as much more as the court, under the circumstances of the particular case, shall think proper, 6 G. 4. c. 50. s. 38.

40. Every sheriff and other minister, to whom the return of juries shall belong, shall be and is hereby indemnified for impannelling and returning any man named in the jurors' book, although he may not be qualified or liable to serve on juries; and that if any sheriff or other such minister shall wilfully impanel and return any man to serve on any jury before any of the courts in *Eng.* or *Wa.* herein-before mentioned (except on the grand jury at any assizes or great sessions), such man's name not being inserted in the jurors' book for the current year, or, if such book has not been delivered, then in the jurors' book last delivered, or if any clerk of assize, associate, prothonotary, clerk of the peace, or other officer of any of the courts aforesaid, shall wilfully record the appearance of any man so summoned and returned, who did not really appear, in every such case the court shall and may, upon examination in a summary way, set such fine upon such sheriff, minister, clerk of assize, associate, prothonotary, clerk of the peace, or other officer offending, as the court shall think meet, 6 G. 4. c. 50. s. 39.

41. The sheriff or his under-sheriff, shall from time to time register alphabetically, in proper columns, to be prepared in the jurors' book for that purpose, the services of such men as shall be summoned and shall attend to serve as jurors on trials, before any court of assize or *nisi prius*, *oyer* and *terminer*, or gaol delivery, or in the said courts of the said counties palatine or great sessions, and also the times of their services; and every man so summoned, and having duly attended or served until discharged by the court shall (upon application by him made to such sheriff or under-sheriff, before he shall depart from the place of trial,) receive a certificate testifying such his service, which certificate the sheriff or under-sheriff is hereby required to give on payment of 1*s.*; provided, that nothing herein contained shall extend to any grand jurors or special jurors, 6 G. 4. c. 50. s. 40.

42. The clerk of the peace, at every sessions of the peace to be holden for any county, riding, or division in *Eng.* or *Wa.*, shall make out a list of such men as shall be summoned and shall attend to serve on any grand jury or petty jury at such sessions, together with their respective places of abode and additions, and the date of their services, and shall within 20 days after the close of every such sessions, transmit such list to the sheriff or under-sheriff of the county, who is hereby required forthwith to register the names of the men included in such list in the proper columns of the jurors' book for that purpose, together with the date of their services; and every man so summoned, and having duly attended or served until discharged by the court of sessions, shall upon application by him made to such clerk of the peace, before he shall depart from the place where the sessions are holden, receive a certificate, testifying such his service, which certificate the said clerk of the peace is hereby required to give, on payment of 1*s.*, 6 G. 4. c. 50. s. 41.

43. No man shall be returned as a juror to serve at any sessions of *nisi prius* or of gaol delivery, in the county of *Middlesex*, who has served as a juror at either of such sessions in the said county, in either of the two terms or vacations next immediately preceding, and has the sheriff's certificate of having so served; and no man shall be returned as a juror to serve on trials before any court of assize, *nisi prius*, *oyer* and *terminer*, or gaol delivery, or any of the said courts of the three counties palatine, or the said great sessions, who has served as a juror at any of such courts within one year before in *Wa.*, or in the counties of *Hereford*, *Cambridge*, *Huntingdon*, or *Rutland*, or four years before in the county of *York*, or two years before in any other county, and has the sheriff's certificate of having so served; and no man shall be returned to serve upon any grand jury or petty jury, at any sessions of the peace to be holden for any county, riding, or division in *Eng.* or *Wa.* who has served as a juror at any such sessions within one year before in *Wa.*, or in the counties of *Hereford*, *Cambridge*, *Huntingdon*, or *Rutland*, or two years before in any other county, and has the certificate of the clerk of the peace of having so served; and if any sheriff or other minister shall wilfully transgress in any of the cases aforesaid, the court may and is hereby required, on examination and proof of every such offence in a summary way, to set such fine upon every such offender as the court shall think meet: provided, that nothing herein contained shall extend to grand jurors at the assizes or great sessions, or to special jurors, 6 G. 4. c. 50. s. 42.

44. No sheriff, under-sheriff, coroner, elisor, bailiff, or other officer or person whatsoever, shall, directly or indirectly, take or receive any money or other reward, or promise of money or reward, to excuse any man from serving or from being summoned to serve on juries, or under any such colour or pretence; and that no bailiff or other officer ap-

pointed by any sheriff, under-sheriff, coroner, or elisor, to summon juries, shall summon any man to serve thereon, other than those whose names are specified in a warrant or mandate, signed by such sheriff, under-sheriff, coroner, or elisor, and directed to such bailiff or other officer; and if any sheriff, under-sheriff, coroner, elisor, bailiff or other officer, shall wilfully transgress in any of the cases aforesaid, or shall summon any juror, not being a special juror, less than 10 days before the day on which he is to attend, or shall summon any special juror less than three days before the day on which he is to attend, except in the cases herein-before excepted, the court of assize, *nisi prius*, *oyer* and *terminer*, gaol delivery, great sessions, or superior court of the said counties palatine, or court of sessions of the peace, within whose jurisdiction the offence shall have been committed, may and is hereby required, on examination and proof of such offence, in a summary way, to set such a fine upon every person so offending, as the court shall think meet, according to the nature of the offence, 6 G. 4. c. 50. s. 43.

45. If any high constable within the meaning of this act shall, for 14 days after the warrant of the clerk of the peace shall be served on him, or left at his usual place of abode, refuse or neglect to issue and deliver his precept as herein-before directed, to the churchwardens and overseers of any parish, or to the overseers of any township within his constablewick; or shall in like manner refuse or neglect to issue and deliver his precept to the churchwardens and overseers of any parish, or to the overseers of any township, where such parish or township extends into any other hundred, lathe, wapentake, or other like district besides his own, either in the same or a different county, (provided the principal church of such parish or township shall be situate within his own hundred, lathe, wapentake, or other like district), or shall refuse or neglect in any of the foregoing cases to annex to the respective precepts such a number of the forms of return as he shall *bona fide* deem sufficient, or to deliver such additional number as may be demanded of him by any churchwarden or overseer as aforesaid, (provided he has such additional number in his possession), or in case of his not so having them, shall refuse or neglect to apply forthwith to the clerk of the peace for such additional number, and to deliver the same to the party so demanding within three days after his receipt thereof; or shall on due notice refuse or neglect to attend at any such petty sessions, or such adjournment thereof as aforesaid, or to receive any list or lists there tendered by the justices present, or to deliver the same to the quarter sessions next holden for the county, riding, or division, at the time and in the manner herein-before directed, or shall make any alteration in any such list after his receipt thereof; every such high constable offending in any of the foregoing cases, shall for every such offence forfeit a sum not exceeding 10*l.*, nor less than 40*s.*, at the discretion of the justice before whom he shall be convicted, 6 G. 4. c. 50. s. 44.

46. If any churchwarden or overseer of any parish, or any overseer of any township within the meaning of this act, shall refuse or neglect (unless prevented by sickness) to assist in making out any list required by this act, so that the same shall not be made out at the time and in the manner herein-before directed; or shall wilfully omit out of such list any man whose name ought to be inserted therein, or shall wilfully insert therein the name of any man who ought to be omitted, or shall take any money or other reward for omitting or inserting any man whatsoever, or shall wilfully insert therein a wrong description of the name, place of abode, title, quality, calling, business, or the nature of the qualification of any man; or shall refuse or neglect, in case the number of forms of return delivered by the high constable shall be insufficient, to apply to the high constable for a sufficient number, so that the list may be made out at the time and in the manner herein-before directed; or shall refuse or neglect to fix a copy of such list duly signed, or to subjoin thereto such notice as herein-before required, on the principal door of any church, chapel, or other public place of religious worship within their respective parishes or townships, on any of the *Sundays* on which the same ought to be so fixed; or shall refuse to allow any inhabitant of their respective parishes or townships to inspect such list, or a true copy thereof, *gratis*, at any reasonable time during the three weeks herein-before mentioned; or shall, on due notice, refuse or neglect to produce such list at such petty sessions as aforesaid, or to answer on oath such questions touching the same as shall there be put, or to attend at such petty sessions, or any such adjournment thereof as aforesaid; or shall refuse to allow the said petty sessions, or any justice of the peace, upon due request, to inspect or make any extracts from the poor rate of any parish or township within their respective divisions, for the purposes herein-before mentioned, such rate being in the custody of the party so refusing; every such churchwarden or overseer offending in any of the foregoing cases shall, for every such offence, forfeit a sum not exceeding 10*l.* nor less than 40*s.*, at the discretion of the justice before whom he shall be convicted; and the justice before whom such offender shall be convicted of any such offence of wrongful insertion or omission, shall forthwith, in writing under his hand, certify the same to the clerk of the peace of the county, riding, or division in which the

man or men so wrongfully omitted or inserted shall reside, and the said clerk of the peace shall cause the list in which such wrongful insertion or omission shall have occurred to be corrected according to such certificate, and shall also give notice thereof to the sheriff or under-sheriff, who shall correct the jurors' book accordingly, 6 G. 4. c. 50. s. 45.

47. If any clerk of the peace shall refuse or neglect to cause a sufficient number, either of warrants, precepts, or forms of return, to be printed in the manner herein-before directed, or shall refuse or neglect to issue and deliver to any high constable within the meaning of this act, the warrant and precepts as herein-before directed, or to annex to the same such a number of the forms of return as he shall *bonâ fide* deem sufficient, or to deliver to any high constable such additional number thereof as he may apply for within three days after such application; or shall refuse or neglect to provide or prepare a jurors' book within the time or in the manner and form herein-before prescribed, or to deliver the same to the sheriff or under-sheriff of the county within the time herein-before prescribed, or to give notice to the sheriff or under-sheriff of any wrongful insertion or omission, certified to him by any justice of the peace as aforesaid, or to deliver to any man who shall have been summoned and have duly attended or served as a grand juror, or petty juror, at the sessions of the peace, a certificate of such man's service, on his application and payment as aforesaid, or to transmit to the sheriff or under-sheriff a list of the men who shall have been so summoned, and have so attended or served, within the time and in the manner herein-before directed; or if any clerk of any such petty sessions, to be holden as aforesaid, shall refuse or neglect to give due notice thereof to any high constable, or to the churchwardens and overseers of any parish, or to the overseers of any township within such division; or if any sheriff or under-sheriff of a county, shall make or cause to be made any alteration whatsoever in the list of jurors contained in the jurors' book, except in consequence of the conviction of the churchwarden or overseer herein-before provided for; or if any sheriff or under-sheriff of a county, or any sheriff or secondary of London, shall neglect or refuse to provide or prepare a list of special jurors in the manner and within the time herein-before prescribed, or shall wilfully write or cause to be written therein the name of any person not qualified, or shall wilfully omit thereout the name of any person duly qualified as a special juror, or shall neglect or refuse to write or cause to be written the several numbers contained in such list upon distinct pieces of parchment or card, in the manner and within the time herein-before prescribed, or shall subtract or destroy, or by any default or neglect lose, any of the said pieces of parchment or card, or shall neglect or refuse, upon discovery of such loss, to supply the same within five days; or if any sheriff or under-sheriff of a county shall refuse or neglect to prepare, or keep for inspection as aforesaid, a copy of the panel in the cases herein-before provided for, or to register the service of any juror, as herein-before directed, or to deliver to any man who shall have been summoned, and have duly attended or served as a juror at any court of assize, *nisi prius*, *oyer* and *terminer*, or gaol delivery, or in any of the said courts of the three counties palatine or great sessions, a certificate of such man's service, on his application and payment as aforesaid; or shall refuse or neglect, within 10 days after the next succeeding sheriff shall be sworn into or have entered upon office, to deliver over to him, as well all the jurors' books and lists that shall be made or prepared in the year of his sheriffalty, as also all such other like books and lists as were prepared in the sheriffalty of any of his predecessors, within four years then next preceding, and which were delivered over to him by any of his predecessors; every such clerk of the peace, clerk of the petty sessions, sheriff or under-sheriff, sheriff of London or secondary, offending in any of the said cases, shall for every such offence forfeit the sum of 50*l.*, one moiety whereof shall be to the use of H. M., and the other, with full costs, to such person as shall sue for the same, in any of H. M.'s courts of record at Westminster, by action of debt, bill, plaint, or information, wherein no essoign, protection, or wager of law, nor more than one imparlance shall be allowed, 6 G. 4. c. 50. s. 46.

48. Provided, that nothing herein contained shall extend or be construed to extend to deprive any alien indicted or impeached of any felony or misdemeanor, of the right of being tried by a jury *de medietate lingue*, but that on the prayer of every alien so indicted or impeached, the sheriff or other proper minister shall, by command of the court, return for one half of the jury a competent number of aliens, if so many there be in the town or place where the trial is had, and if not, then so many aliens as shall be found in the same town or place, if any; and that no such alien juror shall be liable to be challenged for want of freehold or of any other qualification required by this act; but every such alien may be challenged for any other cause, in like manner as if he were qualified by this act, 6 G. 4. c. 50. s. 47.

49. No justice of the peace shall be summoned or impannelled as a juror, to serve at any sessions of the peace for the jurisdiction of which he is a justice, 6 G. 4. c. 50. s. 48.

50. The inhabitants of the city and liberty of Westminster shall be and are hereby exempted from serving on any jury at the sessions of the peace for the county of Middlesex, 6 G. 4. c. 50. s. 49.

51. The qualification herein-before required for jurors, and the regulations for procuring lists of persons liable to serve on juries, shall not extend to the jurors or juries in any liberties, franchises, cities, boroughs, or towns corporate not being counties, or in any cities, boroughs, or towns being counties of themselves, which shall respectively possess any jurisdiction, civil or criminal; but that in all such places, the sheriffs, bailiffs, or other ministers having the return of juries, shall prepare their panels in the manner heretofore accustomed: provided, that no man shall be impannelled or returned by the sheriffs of the city of London, as a juror to try any issue joined in H. M.'s courts of record at Westminster, or to serve on any jury at the sessions of *oyer* and *terminer*, gaol delivery, or sessions of the peace, to be held for the said city, who shall not be a householder, or the occupier of a shop, warehouse, counting-house, chambers, or office, for the purpose of trade or commerce, within the said city, and have lands, tenements, or personal estate of the value of 100*l.*; and that the lists of men resident in each ward of the city of London, who shall be so qualified as herein mentioned, shall be made out, with the proper quality or addition and the place of abode of each man, by the parties who have heretofore been used and accustomed in each ward to make out the same respectively; and that such shop, warehouse, counting-house, chambers, or office as aforesaid shall, for the purposes of this act, be respectively deemed and taken to be the place of abode of every occupier thereof: provided, that no man shall be impannelled or returned to serve on any jury for the trial of any capital offence in any county, city, or place, who shall not be qualified to serve as a juror in civil causes within the same county, city, or place; and the same matter and cause being alledged by way of challenge, and so found, shall be admitted and taken as a principal challenge; and the person so challenged shall and may be examined, on oath, of the truth of the said matter, 6 G. 4. c. 50. s. 50.

52. Every court of *nisi prius*, *oyer* and *terminer*, gaol delivery, and sessions of the peace held for the city of London, shall and may fine any man duly summoned to attend upon any kind of jury in any of such courts respectively, and making default, or any talesman or viewer making default, in the same manner to all intents and purposes as such respective courts in Eng. and Wa. herein-before mentioned, 6 G. 4. c. 50. s. 51.

53. No man shall be liable to be summoned or impannelled to serve as a juror in any county in Eng. or Wa., or in London, upon any inquest or inquiry to be taken or made by or before any sheriff or coroner, by virtue of any writ of inquiry, or by or before any commissioners appointed under the great seal, or the seal of the court of exchequer, or the seals of the courts of the said counties palatine, or the seals of the courts of great session of Wa., who shall not be duly qualified according to this act to serve as a juror upon trials at *nisi prius* in such county in Eng. or Wa., or in London respectively: provided, that nothing herein contained shall extend to any inquest to be taken by or before any coroner of a county by virtue of his office, or to any inquest or inquiry to be taken or made by or before any sheriff or coroner of any liberty, franchise, city, borough, or town corporate not being counties, or of any city, borough, or town being respectively counties of themselves, but that the coroners in all counties, when acting otherwise than under a writ of inquiry, and the sheriffs and coroners in all such places as are herein mentioned, shall and may respectively take and make all inquests and inquiries by jurors of the same description, as they have been used and accustomed to do before the passing of this act, 6 G. 4. c. 50. s. 52.

54. If any man having been duly summoned and returned to serve as a juror in any county in Eng. or Wa., or in London, upon any inquest or inquiry before any sheriff or coroner, or before any of the commissioners aforesaid, shall not, after being openly called three times, appear and serve as such juror, every such sheriff, or in his absence the under-sheriff or secondary, and such coroner and commissioners respectively, are hereby authorized and required (unless some reasonable excuse shall be proved on oath or affidavit) to impose such fine upon every man so making default as they shall respectively think fit, not exceeding 5*l.*; and every such sheriff, under-sheriff, secondary, coroner, and commissioners respectively, shall make out and sign a certificate, containing the christian and surname, the residence and trade or calling of every man so making default, together with the amount of the fine imposed, and the cause of such fine, and shall transmit such certificate to the clerk of the peace for the county, riding, or division in which every such defaulter shall reside, on or before the first day of the quarter sessions next ensuing; and every such clerk of the peace is hereby required to copy the fines so certified on the roll on which all fines and forfeitures imposed at such quarter sessions shall be copied; and the same shall be estreated, levied, and applied in like manner, and subject to the like powers, provisions and penalties, in all respects, as if they had

been part of the fines imposed at such quarter sessions, 6 G. 4. c. 50. s. 53.

55. Every man duly summoned and returned to serve upon any jury for the trial of any cause or criminal prosecution, to be tried in any court of record holden within the city of *London*, other than the courts herein-before respectively mentioned, or in any other liberty, franchise, city, borough, or town, who shall not appear and serve on such jury (after being openly called three times, and on proof being made on oath of the man so making default having been duly summoned) shall forfeit and pay for every such his default, such fine, not exceeding 40s. nor less than 20s., as the court shall deem reasonable to impose, unless some just cause for such defaulter's absence shall be made appear by oath or affidavit to the satisfaction of the court; and that if any person on whom such fine shall be imposed shall refuse to pay the same to the person who shall be authorized by the court to receive the same, it shall be lawful for such court then, or at its next sitting, and the same is hereby authorized and required, by order of the court, signed by the proper officer thereof, to cause every such fine to be levied by distress and sale of the goods and chattels of the person on whom such fine shall have been imposed; and the overplus money, if any, which shall remain after payment of such fine, and deducting the reasonable charges of such distress and sale, shall be rendered to the person whose goods and chattels shall have been so distrained and sold; and that every fine which shall be so imposed shall, when received or levied, to be paid by the person who shall receive or levy the same to the proper officer of the liberty, franchise, city, borough, or town in which the court was holden wherein such fine was imposed, to be applied to such uses as issues set on jurors, or other fines set in courts holden within such liberty, franchise, city, borough, or town, are by charter, prescription, or usage applicable, 6 G. 4. c. 50. s. 54.

56. All fines to be imposed under this act by any of the king's courts of record at *Westminster*, or any of the superior courts, civil or criminal, of the three counties palatine, or by any court of assize, *nisi prius*, *oyer* and *terminer* or gaol delivery, or by any court of sessions of the peace in *Eng.* or by any court of great sessions or sessions of the peace in *Wa.*, shall be levied and applied in the same manner as any other fines imposed by the same court; and that all other penalties hereby created (for which no other remedy is given) shall, on conviction of the offender before any one justice of the peace within his jurisdiction, be levied (unless such penalty be forthwith paid), by distress and sale of the offender's goods and chattels, by warrant under the hand and seal of such justice, who is hereby authorized to hear and examine witnesses on oath or affirmation on any complaint, and to determine the same, and to mitigate the penalty, if he shall see fit, to the extent of one moiety thereof; and all penalties, the application whereof is not herein-before particularly directed, shall be paid to the complainant; and for want of sufficient distress, the offender shall be committed by warrant under the hand and seal of such justice, to the common gaol or house of correction, for such term not exceeding six calendar months, as such justice shall think proper, unless such penalty be sooner paid, 6 G. 4. c. 50. s. 55.

57. And for the more easy and speedy conviction of offenders against this act, be it further enacted, That the justice before whom any person shall be convicted of any offence against this act shall and may cause the conviction to be drawn up in the following form of words or in any other form to the same effect, as the case shall happen; *videlicet*,

'Be it remembered, that on — in the year of our Lord — at — A. B. is convicted before me C. D. one of H. M.'s justices of the peace for the — of —, for that he the said A. B. did [specifying the offence, and the time and place where the same was committed, as the case shall be], and the said A. B. is for his said offence adjudged by me the said justice to forfeit and pay the sum of — Given under my hand and seal, the day and year first above-mentioned. 6 G. 4. c. 50. s. 56.

58. No such conviction shall be quashed for want of form, or be removed or removeable by *certiorari*, or by any other writ or process whatsoever, into any of H. M.'s courts of record at *Westminster*; and that where any distress shall be made for any penalty to be levied by virtue of this act, the distress itself shall not be deemed to be unlawful, nor the party making the same a trespasser, on account of any defect or want of form in the summons, conviction, warrant of distress, or other proceedings relating thereto, nor shall such party be deemed a trespasser *ab initio*, on account of any irregularity which shall be afterwards done by him; but the person aggrieved by such irregularity shall and may recover full satisfaction for the special damage (if any) in an action upon the case, first giving notice in writing of the cause of action to the opposite party one calendar month before the commencement of such action; but no plaintiff shall recover in any action for such irregularity, if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into court after such action brought, by or on behalf of the party distraining; 6 G. 4. c. 50. s. 57.

59. If any suit or action shall be prosecuted against any person, for

any thing done in pursuance of this act, such person may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue his or her action after issue joined, or if upon demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover double costs, and have the like remedy for the same as any defendant hath by law in other cases; and though a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant, unless the judge before whom the trial shall be shall certify his approbation of the action, and of the verdict obtained thereupon, 6 G. 4. c. 50. s. 58.

60. All actions, suits, and prosecutions, to be commenced against any person for any thing done in pursuance of this act, shall be laid and tried in the county where the fact was committed, and shall be commenced within six calendar months after the fact committed, and not otherwise; and that notice in writing of such cause of action shall be given to the defendant or defendants, one calendar month at least before the commencement of the action, 6 G. 4. c. 50. s. 59.

61. From and after the passing of this act [22d June 1825], it shall not be lawful either for the King, or any one on his behalf, or for any party or parties, in any case whatsoever, to commence or prosecute any writ of attain against any jury or jurors, for the verdict by them given, or against the party or parties who shall have judgment upon such verdict; and that no inquest shall be taken to inquire of the concealments of other inquests; but that all such attainments and inquests shall henceforth cease, become void, and be utterly abolished; any law, statute, or usage to the contrary notwithstanding, 6 G. 4. c. 50. s. 60.

62. Provided, that notwithstanding any thing herein contained, every person who shall be guilty of the offence of embracery, and every juror who shall wilfully or corruptly consent thereto, shall and may be respectively proceeded against by indictment or information, and be punished by fine and imprisonment, in like manner as every such person and juror might have been before the passing of this act, 6 G. 4. c. 50. s. 61.

63. Those parts of this act which relate to the issuing of warrants and precepts for the return of jury lists, the preparation, production, reformation, and allowance of those lists, the holding of the petty sessions for those purposes, the formation of a jurors' book, and the delivery thereof to the sheriff, and the preparation of a list of special jurors, and of parchments or cards, in the manner herein-before mentioned, shall commence and take effect so soon after the passing of this act [22d June 1825], as the proper periods for doing those things shall occur; and that the rest of this act shall commence and take effect on the 1st Jan. 1826, and that from and after the commencement of the several parts of this act respectively, so much of the provisions made in the 43 H. 3. as relates to exemptions from assizes, juries, and inquests; and so much of 52 H. 3. c. 14. [Stat. Dig. this tit. pl. 1.] as relates to the like exemptions; and so much of 52 H. 3. c. 24. [Stat. Dig. this tit. pl. 2.] as provide that all, being 12 years of age, ought to appear at inquests for the death of man; and so much of 12 Ed. 1. intitled, *Statuta Wallie*, as relates to persons of 12 years of age being summoned upon coroners' inquests; and so much of 13 Ed. 1. c. 30. [Stat. Dig. tit. JUSTICES OF ASSIZE, pl. 7.] as directs, that the justices shall not put in assizes or juries any other than those that were summoned to the same at first; and so much of 13 Ed. 1. c. 38. [Stat. Dig. this tit. pl. 4.] as ordains how many, and what sort of persons shall be returned on juries and petty assizes; and 21 Ed. 1. st. 2. [Stat. Dig. this tit. pl. 5.] intitled, *Statutum de illis qui debent poni in iuratis et assizis*; and so much of 28 Ed. 1. c. 9. [Stat. Dig. this tit. pl. 6.] intitled, *Articuli super cartas*, as declares how inquests and juries are to be impannelled; and an ordinance made in 33 Ed. 1. stat. 2. [Stat. Dig. this tit. pl. 9.] commonly called *An ordinance for inquests*; and so much of 34 Ed. 1. st. 5. c. 3. [Stat. Dig. tit. FOREST, pl. 40.] commonly called *Ordinatio Forestæ*, as enjoins that none of the ministers therein mentioned be put in assizes, juries, or inquests without the forest; and so much of 5 Ed. 3. c. 10. [Stat. Dig. this tit. pl. 10, 11.] as relates to the punishment of a corrupt juror; and so much of 20 Ed. 3. c. 6. [Stat. Dig. tit. JUSTICES OF ASSIZE, pl. 33.] as relates to the punishment of embracers and corrupt jurors; and so much of 27 Ed. 3. st. 2. c. 8. [Stat. Dig. tit. STAPLE, pl. 9.] commonly called *The ordinance of the staples*, as prescribes the mode of trial where one party or both parties are aliens; and so much of 28 Ed. 3. c. 13. [Stat. Dig. tit. JURY, pl. 17, 18.] as directs how all manner of inquests and proofs shall be taken between aliens and denizens; and so much of 34 Ed. 3. c. 4. [Stat. Dig. tit. JURY, pl. 20.] as accords that panels of inquests shall be of the neighbourhood; and so much of 34 Ed. 3. c. 8 [Stat. Dig. tit. JURY, pl. 10.] as directs the proceedings against jurors taking a reward to give their verdict; and so much of 34 Ed. 3. c. 13. [Stat. Dig. tit. ESCHEAT, &c. pl. 5.] as relates to the qualification of jurors on inquests of escheat; and so much of 36 Ed. 3. st. 1. c. 13. [Stat. Dig. tit. ESCHEAT, pl. 6.] as relates to jurors on inquests of escheat; and so much of 38 Ed. 3. c. 12. [Stat. Dig. tit. JURY, pl. 13.] as ordains the penalty on corrupt jurors and embracers;

and so much of 42 Ed. 3. c. 11. [Stat. Dig. tit. JURY, pl. 22.] as directs that panels in assizes shall be arrayed four days before the sessions, and what sort of jurors shall be put therein; and so much of 7 Ric. 2. c. 7. [Stat. Dig. tit. JUSTICES OF ASSIZE, pl. 40.] as relates to granting a writ of *nisi prius* at the suit of any jurors; and so much of 11 H. 4. c. 9. [Stat. Dig. tit. INDICTMENT, &c. pl. 3.] as directs that jurors in indictments, shall be returned by the sheriffs or bailiffs, without the nomination of any; and so much of 2 H. 5. st. 2. c. 3. [Stat. Dig. tit. JURY, pl. 7.] as relates to the qualification of jurors; and so much of 6 H. 6. c. 2. [Stat. Dig. tit. JURY, pl. 23.] as relates to the panels in special assizes; and so much of 8 H. 6. c. 29. [Stat. Dig. tit. JURY, pl. 17. 19.] as relates to inquests and proofs taken between aliens and denizens; and so much of 23 H. 6. c. 9. [Stat. Dig. tit. SHERIFF, pl. 33.] as ordains, that no sheriff or under-sheriff shall return any of their officers or servants in any of the cases therein mentioned; and so much of 33 H. 6. c. 2. [Stat. Dig. tit. COUNTIES PALATINE (*Lancashire*), pl. 3.] as relates to the qualification of jurors taking indictments in the county palatine of *Lancaster*, and in other counties; and so much of 8 Ed. 4. c. 3. [Stat. Dig. tit. JURY, pl. 27, 28.] as relates to jurors in *Middlesex*; and 1 Ric. 3. c. 4. [Stat. Dig. tit. JURY, pl. 8.] intituled, *An Act for returning of sufficient jurors*; and 19 H. 7. c. 13. [Stat. Dig. tit. RIOT, pl. 13, 14.] intituled, *De riotis reprimendis*; and so much of 1 H. 8. c. 8. s. 4. [Stat. Dig. tit. ESCHEAT, &c. pl. 19.] intituled, *An Act against escheators and commissioners for making false returns of offices and commissions*, as enacts what qualification every juror returned before escheators or commissioners of the crown shall have within the same shire where the inquiry shall be made; and so much of 3 H. 8. c. 2. [Stat. Dig. tit. ESCHEAT, pl. 15.] to perpetuate the last-mentioned act, as perpetuates that part thereof which is herein referred to; and 3 H. 8. c. 12. [Stat. Dig. tit. JURY, pl. 26.] intituled, *An Act against sheriffs for abuses*; and so much of 4 H. 8. c. 3. intituled, *Pour le juris infra civitatem London*; and of 5 H. 8. c. 5. intituled, *An Act concerning juries in London*; [Stat. Dig. tit. LONDON (*Jury*), pl. 44.] as relates to jurors impanelled for the trial of issues joined in any of the courts at *Westminster*, and triable in the city of *London*; and so much of 5 H. 8. c. 6. [Stat. Dig. tit. PHYSICIAN, &c. pl. 5.] intituled, *An Act that surgeons be discharged of constableness, and other things*, as relates to juries; and so much of 22 H. 8. c. 14. s. 6. [Stat. Dig. tit. FELONS, &c. pl. 28.] intituled, *An Act concerning abjurations into sanctuaries*, as relates to peremptory challenges in murder and felony; and so much of 33 H. 8. c. 23. s. 2. [Stat. Dig. tit. HOMICIDE, pl. 16.] intituled, *An Act to proceed by a commission of oyer and determiner against such persons as shall confess treasons, without remanding the same to be tried in the same shire where the offence was committed*, as relates to challenges for want of freehold; and so much of 34 & 35 H. 8. c. 26. ss. 103, 107, 108. [Stat. Dig. tit. WALES, pl. 191, 195, 196.] intituled, *An Act for certain ordinances in the King's Majesty's dominion and principality of Wales*, as relates to tales, and to the qualifications of jurors in the cases therein mentioned; and 35 H. 8. c. 6. [Stat. Dig. tit. JURY, pl. 33, &c.] intituled, *An Act concerning the appearance of jurors in the nisi prius*; and so much of 1 Ed. 6. c. 12. s. 11. [Stat. Dig. tit. JURY, pl. 55.] intituled, *An Act for the repeal of certain statutes concerning treasons and felonies*, as relates to challenges for the hundred; and so much of 2 & 3 Ed. 6. c. 52. [Stat. Dig. tit. JURY, pl. 32.] intituled, *An Act for the continuance of certain statutes*, as relates to the said act of the 35th year of King *Henry the Eighth*; and 4 & 5 P. & M. c. 7. [Stat. Dig. tit. JURY, pl. 40.] intituled, *An Act to make up the jury de circumstantibus, where the King and Queen's Majesty is a party*; and 5 El. c. 25. [Stat. Dig. tit. JURY, pl. 41, 43—47. tit. WALES, pl. 209.] intituled, *An Act to fill up juries de circumstantibus lacking in Wales*; and 14 El. c. 9 [Stat. Dig. tit. JURY, pl. 41.] intituled, *An Act declaring that the tenant and defendant may have a tales de circumstantibus, as well as the demandant or plaintiff*; and 27 El. c. 6. [Stat. Dig. tit. JURY, pl. 34, 37, 38, 48—50.] intituled, *An Act for the returning of sufficient jurors, and for the better expedition of trials, and 27 El. c. 7. [Stat. Dig. tit. JURY, pl. 57, 58.] intituled, An Act for the levying of issues lost by jurors*; and so much of 39 El. c. 19. s. 52. [Stat. Dig. tit. JURY, pl. 56.] intituled, *An Act for the reviving, continuance, explanation, perfecting, and repealing of divers statutes*, as relates to the said last-mentioned act; and so much of 1 W. & M. st. 2. c. 2. s. 1. [Stat. Dig. tit. LIBERTIES, &c. pl. 48.] intituled, *An Act declaring the rights and liberties of the subject, and settling the succession of the crown*, as declares that jurors which pass upon men in trials for high treason ought to be freeholders; and so much of 4 & 5 W. & M. c. 24. s. 15—22. [Stat. Dig. tit. JURY, pl. 32, 35, 51—54.] intituled, *An Act for reviving, continuing, and explaining several laws therein mentioned, which are expired and near expiring*, as relates to jurors; and so much of 6 & 7 W. & M. c. 4. [Stat. Dig. tit. APOTHECARIES, pl. 1—3.] intituled, *An Act for exempting apothecaries from serving the offices of constable, scavenger, and other parish and ward offices, and from serving upon juries*, as relates to juries; and 7 & 8 W. & M. c. 52. [Stat. Dig. tit. JURY, pl. 59—74.] intituled, *An Act for the ease of jurors, and better regulating of juries*; and so much of 1 Anne, st. 2. c. 13. ss. 2, 3. [Stat. Dig. tit. JURY, pl. 69.] intituled, *An Act for*

continuing former acts for exporting leather, and for ease of jurors, and for reviving and making more effectual an act relating to vagrants, as continues the said act of the seventh and eighth years of King *William the Third*; and also so much thereof as relates to the qualification of jurors in the county of *York*; and so much of 3 & 4 A. c. 18. s. 3—6. [Stat. Dig. tit. JURY, pl. 64, 76, 77.] intituled, *An Act for making perpetual an act for the more easy recovery of small tithes, and also an act for the more easy obtaining partition of lands of coparcenary, joint tenancy, and tenancy in common, and also for making more effectual, and amending several acts relating to the return of jurors*, as relates to jurors; and so much of 4 A. c. 16. ss. 6, 7, 8. [Stat. Dig. tit. JURY, pl. 36., tit. VIEW, pl. 4.] intituled, *An Act for the amendment of the law, and the better advancement of justice*, as relates to writs of *venire facias*, and to jurors having the view; and so much of 7 A. c. 21. s. 11. [Index, tit. TREASON.] intituled, *An Act for improving the union of the two kingdoms*, as relates to giving a list of the jury to the party indicted of high treason or misprision of treason; and so much of 10 A. c. 14. ss. 3—6. [Stat. Dig. tit. JURY, pl. 68, 70.] intituled, *An Act for the reviving and continuing several acts therein mentioned, for the preventing mischiefs which may happen by fire, for building and repairing county gaols, for exempting apothecaries from serving parish and ward offices, and serving upon juries, and relating to the returning of jurors*, as relates to juries and jurors; and so much of 9 G. 1. c. 8. ss. 1, 2. [Stat. Dig. tit. APOTHECARIES, pl. 1.] intituled, *An Act for continuing some laws, and reviving others therein mentioned, for exempting apothecaries from serving parish and ward offices, and upon juries, and relating to jurors, and to the payment of scamen's wages, and the preservation of naval stores and stores of war, and concerning the militia and trophy money, and against clandestine running of uncustomed goods, and for more effectual preventing frauds relating to the customs, and frauds in mixing silk with stuffs to be exported*, as relates to jurors and juries; and 3 G. 2. c. 25. [Stat. Dig. tit. JURY, pl. 78. et seq.] intituled, *An Act for the better regulation of juries*; and 4 G. 2. c. 7. [Stat. Dig. tit. JURY, pl. 83, 101.] intituled, *An Act to explain and amend an act made in the third year of H. M.'s reign, intituled, 'An Act for the better regulation of juries'*, so far as the same relates to the county of *Middlesex*; and so much of 6 G. 2. c. 37. ss. 1, 2. [Stat. Dig. tit. JURY, pl. 95.] intituled, *An Act for making perpetual the several actst herein mentioned, for the better regulation of juries*; and for empowering the justices of session or assizes for the counties palatine of *Chester*, *Lancaster*, and *Durham*, to appoint a special jury in manner therein mentioned; and for continuing the act for regulating the manufacture of cloth in the west riding of the county of *York* (except a clause therein contained); and for continuing an act for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and for other purposes therein mentioned; and to prevent the cutting or breaking down the bank of any river, or any sea bank; and to prevent the malicious cutting of hop-binds; and for continuing an act made in the 13th and 14th years of the reign of King *Charles the Second*, for preventing theft and rapine upon the northern borders of *Eng.*; and for reviving and continuing certain clauses in two other acts made for the same purpose, as makes the said acts of the third and fourth years of the same reign perpetual, and as relates to special juries; and so much of 24 G. 2. c. 18. ss. 1—4 [Stat. Dig. tit. JURY, pl. 32, 36, 97, 98, 105.] intituled, *An Act for better regulation of trials by jury, and for enlarging the time for trials by nisi prius in the county of Middlesex*, as relates to special juries and writs of *venire facias* and challenges of the array; and 29 G. 2. c. 19. [Stat. Dig. tit. JURY, pl. 106—110.] intituled, *An Act to empower judges of courts of record in cities and towns corporate, liberties and franchises, to set fines on persons who shall be summoned to serve upon juries in such courts, and shall neglect to attend*; and so much of 13 G. 3. c. 51. ss. 6, 7, 8. [Stat. Dig. tit. WALES, pl. 227—229.] intituled, *An Act to discourage the practice of commencing frivolous and vexatious suits in H. M.'s courts at Westminster, in causes of action arising within the dominions of Wales, and for further regulating the proceedings in the courts of great sessions in Wales*, as relates to special juries; and 1 & 2 G. 4. c. 46. [Stat. Dig. tit. JURY, pl. 111—115.] intituled, *An Act to regulate the attendance of jurors at the assizes, in certain cases*; and so much of 5 G. 4. c. 106. s. 29. intituled, *An Act to enlarge and extend the powers of the judges of the several courts of great sessions in Wales, and to amend the laws relating to the same*, as relates to the qualification of jurors; shall be, and the same are hereby repealed, 6 G. 4. c. 50. s. 62.

64. Provided, that nothing herein contained shall be construed to affect or alter any part of 7 & 8 W. 3. c. 24. [Stat. Dig. tit. QUAKER, pl. 1, &c.] intituled, *An Act that the solemn affirmation and declaration of the people called quakers shall be accepted instead of an oath in the usual form*; nor any part of 22 G. 2. c. 30. [Stat. Dig. tit. AMERICAN COLONIES, pl. 14. et seq.] intituled, *An Act for encouraging the people known by the name Unitas Fratrum or United Brethren, to settle in H. M.'s colonies in America*, 6 G. 4. c. 50. s. 63.

65. Provided, that nothing herein contained shall extend or be construed to extend to alter, abridge or affect any power or authority which

any court or judge now hath, or any practice or form in regard to trials by jury, jury process, juries or jurors, except in those cases only where any such power or authority, practice or form, is repealed or altered by this act, or is or shall be inconsistent with any of the provisions thereof, nor to abridge or affect any privilege of parliament, 6 G. 4. c. 50. s. 64.

SCHEDULE of 6 G. 4. c. 50. [See s. 5. pl. 6.]

Warrant for returning Lists of Jurors.

County of — } To the high constable [or, To — one of the high constables]
to wit. } of the hundred [lathe, wapentake, or other like district,]
of — within the county aforesaid.

These are to require you, within fourteen days after the receipt hereof, to issue and deliver (in the form hereunto annexed, or as near thereto as may be,) your precepts to the churchwardens and overseers of the poor of the several parishes, and to the overseers of the poor of the several townships within your constablewick, requiring them to make out and return true lists of jurors, and you are at the same time to annex to each precept a sufficient number of the forms of returns left herewith, and if you find, that the number now left with you is not sufficient for all the places in your constablewick, you are to apply to me for more; and you are further required to attend at a petty sessions in the last week of *September* next, (of which you shall have due notice); and such lists as you shall there receive you are to deliver to the next court of quarter sessions for this county, [riding or division, on the first day of its sitting, and at the same time to make oath of your receipt of such lists, and that no alteration has been made therein since your receipt of them.

If there is any parish within your constablewick that has no overseers of the poor except the churchwardens, you are in such case to treat them as the churchwardens and overseers of such parish, and to direct your precept, together with a sufficient number of forms of return, to them accordingly; and if there is any parish or township which extends into any other constablewick besides your own, you are to treat every such parish or township as within your constablewick, provided the principal church of such parish or township is situated within your constablewick, and you are to issue your precepts with a sufficient number of forms of return accordingly; and these several matters you are in nowise to omit, upon the peril that shall ensue. Given under my hand at — in the said county, the — day of — in the year —

Clerk of the peace,
for the said county [riding or division.]

Precept for returning Lists of Jurors. [See s. 6. pl. 7.]

County of — } To the churchwardens and overseers of the poor of the parish
to wit. } [or, To the overseers of the poor of the township] of —
Hundred }
of — }

By virtue of a warrant from the clerk of the peace of the said county [riding or division] unto me directed, you are hereby required to make out, before the first day of *September* next, a true list in writing, in the form hereunto annexed, containing the names of all men, being natural born subjects of the King, between the ages of twenty-one and sixty, residing within your parish [or township], qualified to serve upon juries; that is to say, of every such man who has in his own name or in trust for him, a clear income of ten pounds by the year in lands or tenements, whether of freehold, copyhold, or customary tenure, or of ancient demesne, situate in the said county, or in rents issuing out of any such lands or tenements, or in such lands, tenements, and rents taken together, in fee simple or fee tail, or for his own life, or for the life of any other person; and also of every such man who has a clear income of twenty pounds by the year in lands or tenements situate in the said county, held by lease for the absolute term of twenty-one years, or some longer term, or for any term of years determinable on any life or lives; and also of every such man who is a householder in your parish [or township], and is rated or assessed to the poor rate or to the inhabited house duty on a value of not less than twenty pounds [if in *Middlesex* thirty pounds], and also of every such man who occupies a house in your parish [or township] containing not less than fifteen windows; and you are required to make out the said list in alphabetical order, and to write the christian and surname of every man at full length, and the place of his abode, his title, quality, calling, or business, and the nature of his qualification, in the proper columns of the forms hereunto annexed, according to the specimens given in such columns for your guidance.

And if you have not a sufficient number of forms, you must apply to me for more; and in order to assist you in making out the list, you are to refer to the poor rate, and you may, if you think proper, apply to any collector or assessor of taxes, or any other officer who has the custody of any house tax, land tax, or other tax assessment for your parish [or township], and take from thence the names of men so qualified: and in making such list you are to omit the names of all peers, all judges, all clergymen, all roman catholic priests who shall have duly taken and subscribed the oaths and declaration required by law; all ministers of any congregation of protestant dissenters whose place of meeting is duly registered, provided they follow no secular occupation except that of a school-master, and produce to you a certificate of

some justice of the peace of their having taken the oaths and subscribed the declaration required by law; all serjeants and barristers at law, all members of the society of doctors of law, and all advocates of the civil law, if actually practising, and all attornies, solicitors, and proctors, if actually practising, and having taken out their annual certificates; all officers of the courts of law and equity, and of the admiralty and ecclesiastical courts, if actually exercising the duties of their respective offices; all coroners, all gaolers and keepers of houses of correction; all members and licentiates of the royal college of physicians in *London*, all members of the royal colleges of surgeons in *London*, *Edinburgh*, and *Dublin*, and apothecaries certificated by the court of examiners of the apothecaries' company, if actually practising as physicians, surgeons, or apothecaries respectively; all officers of the navy and army on full pay; all pilots licensed by the Trinity-house of *Deptford Strond*, *Kingston-upon-Hull*, or *Newcastle-upon-Tyne*, and all masters of vessels in the buoy and light service employed by either of those corporations, and all pilots licensed by the lord warden of the cinque ports, or under any act of parliament or charter for the regulation of pilots in any other port; all the household servants of H. M.; all officers of customs and excise; all sheriff's officers, high constables, and parish clerks; and also all persons exempt by virtue of any prescription, charter, grant, or writ.

And when you have made out such list, you are authorised to order a sufficient number of copies thereof to be printed [the expence of which printing will be allowed you by the parish [or township], and you are required, on the three first *Sundays* in *September* next, to fix a copy of such list, signed by you, on the principal door of every church, chapel, or other public place of religious worship within your parish [or township], and also to subjoin to every such copy a notice to the following effect, inserting the time and place, of which you shall be previously informed: "Take notice, that all objections to the foregoing list will be heard by the justices in petty sessions, on the — day of *September* next, at the hour of — at —;" and you must allow any inhabitant of your parish [or township] to inspect the original list, or a true copy of it, during the three first weeks of *September* next, gratis; and you are also further required to produce the said list at such petty sessions, and there to answer, on oath, such questions as shall be put to you by H. M.'s justices of the peace there present, touching the said list; and these several matters you are in nowise to omit, upon the peril that may ensue. Given under my hand, at — in the said county, the — day of — in the year —

High Constable.

The Form of Precept in Wales is to be altered according to the difference of qualification.

Form of Return. [See ss. 6. 8, pl. 7, 9.]

County of — } The return of the churchwardens and overseers [or of the
to wit. } overseers] of the — of — in the hundred of — in the said
county, of men qualified to serve on juries.

Parish or Township; in Towns, add the Name of the Street.	Christian and Surname at full Length.	Title, Quality, Calling, or Business.	Nature of Qualification.
All Saints, Derby:			
King-street - -	Adams, John - -	Esquire - -	Freehold.
John-street - -	Alley, James - -	Merchant - -	Copyhold.
Duke-street - -	Bond, Henry - -	Baker - -	Leasehold.
High-street - -	Boyd, George - -	Grocer - -	Poor-rate.
Duke-street - -	Cole, Charles - -	Butcher - -	House Assessment.
Church-street - -	Cook, John - -	Inn-keeper - -	Windows.

JUSTICES OF ASSIZE, &c.

1. To enable in certain cases the opening and reading of commissions under which the judges sit upon the circuits after the day appointed for holding assizes, 3 G. 4. c. 10.

2. Whereas it has been deemed necessary that the commissions under which the judges sit upon their circuits should be opened and read at the respective places appointed for holding the assizes, in the presence of one at least of the quorum commissioners therein named, on the very day appointed for holding the assizes, whereby much inconvenience hath arisen, it is enacted, That whenever it shall so happen that such commissions shall not be opened and read in the presence of one of the quorum commissioners at any place specified for holding the assizes on the very day appointed for such purpose, it shall be lawful to open and read the same in the presence of one of the quorum commissioners therein named on the following day, or if such following day be a *Sunday*,

or any other day of public rest, then on the succeeding day; and such opening and reading thereof shall be as effectual to all intents and purposes, as if done on the very day appointed for that purpose, and shall be deemed and taken to be an opening and reading thereof on the day for that purpose appointed; and all records and other proceedings under or relating to any commission which may be opened and read by virtue of this act shall be drawn up, entered, and made out, under the same date and in the same form in all respects as if such commission had been opened and read on the day originally appointed for that purpose; provided that the judges and *quorum* commissioners are hereby directed and required to have such commissions opened and read on the very days appointed for that purpose, unless the same shall be prevented by pressure of business elsewhere, or by some unforeseen cause or accident, 3 G. 4. c. 10. s. 1.

4. In every case in which it shall so appear that any such commission is opened and read under this act, the *quorum* commissioner before whom the same shall be so opened and read, shall, under his hand and seal, certify to the lord chancellor, lord keeper, and lords commissioners of the great seal for the time being, that the same was so opened, and the cause of the delay of opening and reading the same, which certificate shall be enrolled in chancery, 3 G. 4. c. 10. s. 2.

JUSTICES OF PEACE.

1. To facilitate summary proceedings before justices of the peace and others, 3 G. 4. c. 23.

2. Whereas great inconveniences often arise in summary proceedings before justices of the peace, deputy lieutenants, and others, from the want of a general form of conviction: be it therefore enacted, That from and after the passing of this act [15th May 1822], in all cases wherein a conviction shall have taken place, and no particular form for the record thereof hath been directed, the justice or justices, deputy lieutenant or deputy lieutenants, or other person or persons duly authorized to proceed summarily therein, and before whom the offender or offenders shall have been convicted, shall and may cause the record of such conviction to be drawn up in the manner and form following, or in any words to the same effect, *mutatis mutandis*; (that is to say),

‘County [or, as the case may be] Be it remembered, That on the — day of — in the year of our Lord — at — in the county of — A. B. of — in the county of — labourer, [or, as the case may be] personally came before me, [or, before us, &c.] C. D. one [or more, as the case may be] of H. M.’s justices of the peace for the said — and informed me, [or us, &c.] that E. F. of — in the county of — on the — day of — at — in the said — did [here set forth the fact for which the information is laid] contrary to the form of the statute in such case made and provided, whereupon the said E. F. after being duly summoned to answer the said charge, appeared before me [or us, &c.], on the — day of — at — in the said — and having heard the charge contained in the said information, declared he was not guilty of the said offence [or, as the case may happen to be], did not appear before me [or us, &c.], pursuant to the said summons [or, did neglect and refuse to make any defence against the said charge]; whereupon I [or we, &c. or nevertheless I, or we, &c.] the said justice [or justices], did proceed to examine into the truth of the charge contained in the said information, and on the — day of — aforesaid, at the parish of — aforesaid, one credible witness, to wit, A. W. of — in the county of — upon his oath depose and saith [if E. F. be present, say, in the presence of the said E. F.] that, within — months [or, as the case may be] next before the said information was made before me [or us, &c.] the said justice, by the said A. B., to wit, on the — day of — in the year — the said E. F. at — in the said county of — [here state the evidence, and as nearly as possible in the words used by the witness, and if more than one witness be examined, state the evidence given by each] [or, if the defendant confess, instead of stating the evidence say], and the said E. F. acknowledged and voluntarily confessed the same to be true; therefore it manifestly appearing to me [or us, &c.] that he the said E. F. is guilty of the offence charged upon him in the said information, I [or we, &c.] do hereby convict him of the offence aforesaid, and do declare and adjudge, that he the said E. F. hath forfeited the sum of — of lawful money of G. B., for the offence aforesaid, to be distributed [or paid, as the case may be] according to the form of the statute in that case made and provided. Given under my hand [or, our hands, &c.] and seal, the — day of — in the year of our Lord —.’

3 G. 4. c. 23. s. 1.

3. In all cases where two or more justices, deputy lieutenants or others, are authorized and required to hear and determine any complaint, one justice, deputy lieutenant, or such other person shall be competent to receive the original information or complaint, and to issue the summons or warrant requiring the parties to appear before two or more justices of the peace, deputy lieutenants or others, as the case may require; and after examination upon oath into the merits of the said complaint, and the adjudication thereupon, by any such two justices, deputy lieutenants, or other persons, being made, all and every the

subsequent proceedings to enforce obedience thereto or otherwise, whether respecting the penalty, fine, imprisonment, costs, or other matter or thing now enacted or to be hereafter enacted, may be enforced by either of the said justices, deputy lieutenants, or other persons, or any other justice of the peace or deputy lieutenant for the same county, riding, or place, in such and the like manner as if done by the same two justices, deputy lieutenants, or other persons, who so heard and adjudged the said complaint; and where the original complaint or information shall be made to any justice or justices of the peace, deputy lieutenant or deputy lieutenants, or other person or persons different from him or them before whom the same shall be heard and determined, the form of conviction shall be made conformable and according to the fact, 3 G. 4. c. 23. s. 2.

4. In all cases where it appears by the conviction that the defendant has appeared and pleaded, and the merits have been tried, and that the defendant has not appealed against the said conviction where an appeal is allowed, or if appealed against, the conviction has been affirmed, such conviction shall not afterwards be set aside or vacated in consequence of any defect of form whatever, but the construction shall be such a fair and liberal construction as will be agreeable to the justice of the case, 3 G. 4. c. 23. s. 3.

5. Nothing herein contained shall extend, or be construed to extend, to that part of the U. K. called *Scot.*, 3 G. 4. c. 23. s. 4.

6. To amend an act passed in the seventh year of the reign of His late Majesty King George the Third, [7 G. 3. c. 21. *Stat. Dig.* this title, *pl.* 101.] respecting justices of the *quorum* in cities and towns corporate, 4 G. 4. c. 27.

7. Whereas 7 G. 3. c. 21. was passed, intituled, *An Act to obviate the inconveniences that may arise with respect to the execution of acts of parliament in such cities, boroughs, towns corporate, franchises, or liberties, as have only one justice of peace of the quorum qualified to act within the same*, whereby it was enacted, [as in *Stat. Dig.* this title, *pl.* 103;] and whereas it is expedient that the provisions of the said act should be extended to such cities and other jurisdictions as have two, or any other limited number of justices of the *quorum*, qualified to act within the same, be it enacted, That from the passing of this act [23d May 1823], in all cases where the number of justices of the peace for any city, borough, town corporate, franchise, liberty, or other local jurisdiction, is limited, and any one, two, or more of such justices only are of the *quorum*, all acts, orders, adjudications, warrants, indentures of apprenticeship, or other instruments which shall be made, done, or executed, either in or out of the general quarter sessions, or petty sessions, or any adjournment thereof, by virtue of any charter or grant, or of any act of parliament made or to be made by any two or more justices of the peace acting within the same, though neither of the said justices be of the *quorum*, shall be valid in law to all intents and purposes, as if the said justices had been of the *quorum*, any grant, charter, law, or custom to the contrary thereof in anywise notwithstanding, 4 G. 4. c. 27. s. 1.

8. For the more effectual recovery of penalties before justices and magistrates on conviction of offenders; and for facilitating the execution of warrants by constables, 5 G. 4. c. 18.

9. Whereas by several acts, certain penalties and forfeitures are imposed on persons for offences committed against the directions of such acts, which are directed to be recovered before any justice or justices of the peace, or any magistrate or magistrates, within their respective jurisdictions; and on non-payment thereof, such penalties and forfeitures, together with the reasonable costs and charges attending the several convictions, are directed to be levied by distress and sale of the goods and chattels of the offender or offenders, by warrant under the hand and seal of such justice and magistrate respectively: and whereas no power is given to such justices and magistrates, on conviction of such offenders, to detain him, her, or them in custody till return is made to the warrant of distress, for the purpose of ascertaining whether such offenders have any goods and chattels to satisfy such penalties, forfeitures, costs, and charges, whereby such offenders frequently escape any punishment for their offences: for remedy whereof, be it enacted, That from and after the passing of this act [31st March 1824], whenever any penalty or forfeiture is or shall be directed to be recovered before any justice or justices of the peace, or magistrate or magistrates, for any county, riding, soke, city, division, or place, and such justice or justices of the peace, magistrate or magistrates, is or are authorized and empowered, on the conviction of the offender or offenders, in default of payment of such penalty or forfeiture, together with the reasonable costs and charges attending such conviction, to cause the same to be levied by distress and sale of the goods and chattels of the offender or offenders, by warrant or warrants under the hand and seal of such justice or magistrate, or hands and seals of such justices or magistrates, together with the reasonable costs of such distress and sale; and in case upon a valu-

ation being taken of the goods and chattels of the offender or offenders, sufficient distress for the payment of all such penalties and forfeitures and other costs and charges cannot be found, or in case it shall appear to such justice or justices, magistrate or magistrates, either by the confession of the offender or offenders or otherwise, that the offender or offenders has or have not sufficient goods or chattels whereupon the same may be levied, within the jurisdiction of such justice or justices, magistrate or magistrates, no sale shall take place of the goods and chattels of such offender or offenders, but it shall be lawful for such justice or justices, magistrate or magistrates, to commit such offender or offenders to the common gaol or house of correction, for such time and in such manner as in such acts respectively mentioned and directed; then and in every such case it shall be lawful to and for such justice or justices, magistrate or magistrates, at his or their discretion, to order the offender or offenders so convicted to be kept and detained in safe custody until return shall be made to such warrant or warrants of distress, unless such offender or offenders shall give sufficient security, to the satisfaction of such justice or justices, magistrate or magistrates, for his, her, or their appearance before him or them on such day or days as shall be appointed for the return of such warrant or warrants of distress, such day or days not being more than eight days from the time of taking such security; and such security such justice or justices, magistrate or magistrates, is and are hereby empowered to take by way of recognizance or otherwise, as to him or them shall seem right and proper; or in case it shall appear to the satisfaction of such justice or justices, magistrate or magistrates, either by the confession of the offender or offenders or otherwise, that he, she, or they hath not or have not goods or chattels within the jurisdiction of such justice or justices, magistrate or magistrates, sufficient whereon to levy all such penalties and forfeitures, costs and charges, such justice or justices, magistrate or magistrates, may at his or their discretion, without issuing any warrant of distress, commit the offender or offenders for such period of time, and in such and like manner, as if a warrant of distress had been issued and a *nulla bona* returned thereon, 5 G. 4. c. 18. s. 1.

10. Whereas by some acts certain penalties or sums of money are to be recovered before a justice or justices of the peace, or a magistrate or magistrates, and he or they is and are authorized to issue forth his or their warrant for levying such penalties or sums of money, by distress and sale of the goods and chattels of the offender or defendant; but no further remedy is provided in case no sufficient goods and chattels can be found whereon to levy such penalties or sums of money; for remedy whereof, be it further enacted, That whenever it shall appear to any such justice or justices of the peace, magistrate or magistrates, by whom any penalty or sum of money is adjudged to be paid, upon the return of any such warrant of distress, that no sufficient goods and chattels of the offender or defendant can be found whereon to levy the sum adjudged to be paid, and all costs and charges, within the jurisdiction of such justice or justices, magistrate or magistrates; or in case it shall appear to such justice or justices, magistrate or magistrates, either by the confession of the party or parties, or otherwise, that he, she, or they have not sufficient goods and chattels within the jurisdiction of such justice or justices, magistrate or magistrates, sufficient whereon to levy such sum of money, costs, and charges; such justice or justices, magistrate or magistrates, at his or their discretion, and without issuing any warrant of distress, may proceed in such and the like manner as if a warrant of distress had been issued and a *nulla bona* returned thereon; and it shall be lawful for such justice or justices, or magistrate or magistrates, to issue forth his or their warrant for committing such offender or defendant to the common gaol, for any term not exceeding three calendar months, unless the sum adjudged to be paid, and all

costs and charges of the proceedings, shall be sooner paid: provided, that the amount of such costs and expences shall be specified in such warrant of commitment, 5 G. 4. c. 18. s. 2.

11. In the case of any offender or offenders committed to the common gaol or house of correction for default of payment of such penalty or forfeiture, together with the reasonable costs and charges attending the conviction, if such offender or offenders shall at any time, during the period of his, her, or their imprisonment, pay or cause to be paid to the governor or keeper of the prison, the full amount of such penalty, together with the costs and charges, it shall be lawful for such governor or keeper of such prison, and he or they are hereby required forthwith to discharge such offender or offenders from his or their custody, 5 G. 4. c. 18. s. 3.

12. Whereas cases may occur where the recovery of such penalty or forfeiture by distress and sale of the goods and chattels of the offender or offenders may appear to the justice or justices of the peace, or magistrate or magistrates, for any county, riding, soke, city, division, or place, to be attended with consequences ruinous, or in an especial manner injurious to the offender or offenders and their family or families; be it enacted, That the justice or justices, and magistrate or magistrates aforesaid, shall be empowered, and they are hereby authorized, in all cases and upon all such occasions as to them shall seem fit, and where such consequences are likely to arise, to cause to be withheld the issue of any warrant or warrants of distress, and to commit the offender or offenders aforesaid immediately after conviction, and in default of payment of the penalty or forfeiture, with costs and charges, to the common gaol or house of correction, for such time and in such manner as are in such acts respectively mentioned and directed: provided, that it be by the desire or with the consent in writing of the party or parties upon whose property the penalty or forfeiture is to be levied, 5 G. 4. c. 18. s. 4.

13. Provided, that nothing herein contained shall extend to that part of the U. K. of G. B. and Ire. called *Scot.*, 5 G. 4. c. 18. s. 5.

14. Whereas warrants addressed to constables, headboroughs, tithingmen, borsholders, or other peace-officers of parishes, townships, hamlets, or places, in their characters of and as constables, headboroughs, tithingmen, borsholders, or other peace-officers of such respective parishes, townships, hamlets, or places, cannot be lawfully executed by them out of the precincts thereof respectively, whereby means are afforded to criminals and others of escaping from justice: for remedy whereof, be it further enacted, That it shall be lawful to and for each and every constable, and to and for each and every headborough, tithingman, borsholder, or other peace-officer, for every parish, township, hamlet, or place, to execute any warrant or warrants of any justice or justices of the peace, or of any magistrate or magistrates, within any parish, township, hamlet, or place, situate, lying, or being within that jurisdiction for which such justice or justices, magistrate or magistrates, shall have acted when granting such warrant or warrants, or when backing or indorsing any such warrant or warrants, in such and the like manner as if such warrant or warrants had been addressed to such constable, headborough, tithingman, borsholder, or other peace-officer, specially by his name or names, and notwithstanding the parish, township, hamlet, or place in which such warrant or warrants shall be executed, shall not be the parish, township, hamlet, or place for which he shall be constable, headborough, tithingman, or borsholder, or other peace-officer, provided that the same be within the jurisdiction of the justice or justices, magistrate or magistrates, so granting such warrant or warrants, or within the jurisdiction of the justice or justices, magistrate or magistrates, by whom any such warrant or warrants shall be backed or indorsed, 5 G. 4. c. 18. s. 6.

KING AND ROYAL FAMILY.

1. Concerning the disposition of certain property of H. M. his heirs and successors, 4 G. 4. c. 18. [AMENDING 39 & 40 G. 3. c. 88. *Stat. Dig.* this tit. *pl.* 116.]

2. Whereas by 39 & 40 G. 3. c. 88. power was given to His then Majesty, his heirs and successors, to grant, sell, give or devise in manner and form therein mentioned, all and every or any of the manors, messuages, lands, tenements, and hereditaments, purchased or to be purchased by his said then Majesty, his heirs or successors, out of monies issued for the use of his privy purse, or with monies not appropriated to any public service, or which had or should come to H. M., his heirs or successors, by the gift or devise of, or by descent or otherwise from, any ancestors or other person not being king or queen of this realm, unto

any person or persons, for any estate or estates, or for any intents or purposes, H. M., his heirs or successors, should think fit; and certain other provisions were enacted touching and concerning such manors, messuages, lands, tenements, and hereditaments: and whereas the powers and provisions of the said act do not extend to manors, messuages, lands, tenements or hereditaments, whereof H. M., his heirs or successors, or any person or persons in trust for him or them, was, were, or may be seized or possessed at the time of his or their accession to the crown of this realm, and which before such accession, he or they might have legally granted, sold, given or devised, and it is reasonable that the said powers and provisions should be extended thereto: it is therefore enacted, That all the powers vested in H. M., his heirs and successors, by the said act, over the manors, messuages, lands, tenements, and hereditaments purchased by him or them, or to be purchased by him or

them, or coming to him or them in manner in the said act mentioned, and all other the provisions of the said act concerning the same, shall be extended to, and apply to all manors, messuages, lands, tenements, and hereditaments, whether of freehold or copyhold, or customary or leasehold tenure, whereof H. M., or any other person or persons in

trust for him, at the time of his accession to the crown, or whereof his heirs or successors, or any person or persons in trust for them, at the time of their respective accessions to the crown, was, were, or shall be seized and possessed, and which, before such accession, he or they might have legally granted, sold, given, or delivered, 4 G. 4. c. 18.

LABOURERS, SERVANTS, &c. (See COMBINATIONS.)

(STATUTES repealed.)

1. Masons shall not confederate themselves together in chapters and assemblies, 5 H. 6. c. 1. [Stat. Dig. tit. LABOURERS, pl. 2. REP. 5 G. 4. c. 95. s. 1.]

(STATUTES in force.)

2. To enlarge the powers of justices in determining complaints between masters and servants, and between masters, apprentices, artificers, and others, 4 G. 4. c. 34. [See ss. 1, 2. ante, tit. APPRENTICES, pl. 6, 7.]

3. If any servant in husbandry, or any artificer, calico-printer, handicraftsman, miner, collier, keelman, pitman, glassman, potter, labourer, or other person, shall contract with any person or persons whomsoever, to serve him, her, or them for any time or times whatsoever, or in any other manner, and shall not enter into or commence his or her service according to his or her contract (such contract being in writing, and signed by the contracting parties), or having entered into such service shall absent himself or herself from his or her service before the term of his or her contract, whether such contract shall be in writing or not in writing, shall be completed, or neglect to fulfil the same or be guilty of any other misconduct or misdemeanor in the execution thereof, or otherwise respecting the same, then and in every such case it shall be lawful for any justice of peace of the county or place where such servant in husbandry, artificer, &c. or other person, shall have so contracted, or be employed, or be found, and such justice is hereby authorized and empowered, upon complaint thereof made upon oath to him by the person or persons, or any of them, with whom such servant in husbandry, artificer, &c. or other person shall have so contracted, or by his, her, or their steward, manager, or agent, which oath such justice is hereby empowered to administer, to issue his warrant for the apprehending every such servant in husbandry, artificer, &c., or other person, and to examine into the nature of the complaint; and if it shall appear to such justice that any such servant in husbandry, artificer, &c., or other person, shall not have fulfilled such contract, or hath been guilty of any other misconduct or misdemeanor as aforesaid, it shall be lawful for such justice to commit every such person to the house of correction, there to remain and be held to hard labour for a reasonable time, not exceeding three months, and to abate a proportionable part of his or her wages, for and during such period as he or she shall be so confined in the house of correction, or in lieu thereof, to punish the offender by abating the whole or any part of his or her wages, or to discharge such servant in husbandry, artificer, &c. or other person, from his or her contract, service, or employment, which discharge shall be given under the hand and seal of such justice *gratis*, 4 G. 4. c. 34. s. 3.

4. And whereas it frequently happens that such masters, mistresses, or employers, reside at considerable distances from the parishes or places where their business is carried on, or are occasionally absent for long periods of time, either beyond the seas, or at considerable distances from such parishes or places, and during such residence or occasional absences entrust their business to the management and superintendence of stewards, agents, bailiffs, foremen, or managers, whereby such servants, artificers, &c. or other persons and apprentices, are or may be subjected to great difficulties and hardships, and put to great expence in recovering their wages; be it therefore enacted, That in either of the said cases it shall be lawful to and for any justice or justices of the county or place where such servant in husbandry, artificer, &c. or other person or apprentice shall be employed, upon the complaint of any such servant, artificer, &c. or other person or apprentice, touching or concerning the non-payment of his or her wages, to summon such steward, agent, bailiff, foreman, or manager, to be and appear before him or them at a reasonable time to be named in such summons, and to hear and determine the matter of the complaint in such and the like manner as complaints of the like nature against any master, mistress, or employer are directed to be heard and determined in this and the before-recited acts, and also to make an order for the

payment by such steward, agent, bailiff, foreman, or manager, to such servant, artificer, &c., or other person or apprentice, of so much wages as to such justice or justices shall appear to be justly due; provided that the sum in question do not exceed the sum of 10*l.*; and in case of refusal or non-payment of any sum so ordered to be paid by such steward, agent, &c., for the space of 21 days from the date of such order, such justice or justices shall issue forth his or their warrant to levy the same by distress and sale of the goods and chattels of such master, mistress, or employer, rendering the overplus to the owner or owners, or to such steward, agent, &c. for the use of such master, mistress, or employer, after payment of the charges of such distress and sale, 4 G. 4. c. 34. s. 4.

5. Every justice of the peace before whom any complaint shall be made, in pursuance of 20 G. 2. c. 19. or of 51 G. 2. c. 11. [Stat. Dig. tit. LABOURERS, pl. 25.], shall and may order the amount of the wages that shall appear due to any servants in husbandry, artificers, labourers, or other person named in the said acts, or either of them, to be paid to the person entitled thereto, within such period as the said justice or justices shall think proper; and in case of refusal or non-payment thereof, shall and may levy the same by distress and sale, in manner directed by the said first-mentioned act; and every order or determination of such justice or justices made under this act shall be final, any thing in either of the said acts contained to the contrary notwithstanding, 4 G. 4. c. 34. s. 5.

6. Provided, that nothing in this act contained shall extend to impeach or lessen the jurisdiction of the chamberlain of the city of London, or of any other court within the said city, touching apprentices, 4 G. 4. c. 34. s. 6.

7. To consolidate and amend the laws relative to the arbitration of disputes between masters and workmen, 5 G. 4. c. 96.

8. From 21st June 1824, so much of the Irish act 3 G. 2., *For the preventing of unlawful combinations of workmen, &c. and for the better payment of their wages*, [previously in part REP. by 5 G. 4. c. 95.] as relates to decision of disputes as therein mentioned; and also stat. 39 & 40 G. 3. c. 90. [Stat. Dig. tit. COTTON MANUFACTURES, pl. 9.], also stat. 39 & 40 G. 3. c. 106. [Stat. Dig. tit. CONSPIRACY, pl. 10.], and also stat. 41 G. 3. (U. K.) c. 38. [Stat. Dig. tit. CONSPIRACY, pl. 10.], also stat. 45 G. 3. c. 151., also stat. 44 G. 3. c. 87., and stat. 53 G. 3. c. 75. [Stat. Dig. tit. COTTON MANUFACTURES, pl. 9.], shall be repealed, except so far as they repeal any other act, 5 G. 4. c. 96. s. 1.

9. The following subjects of dispute arising between masters and workmen, or between workmen and those employed by them, in any trade or manufacture in any part of the U. K., may be settled and adjusted in manner hereafter mentioned; that is to say, disagreements respecting the price to be paid for work done, or in the course of being done, whether such disputes shall happen or arise between them respecting the payment of wages as agreed upon, or the hours of work as agreed upon, or any injury or damage done or alleged to have been done to the work, or respecting any delay or supposed delay in finishing the work, or the not finishing the work in a good and workmanlike manner, or according to any contract, or to bad materials; cases where the workmen are to be employed to work any new pattern which shall require them to purchase any new implements of manufacture, or to make any alteration upon the old implements for the working thereof, and the masters and workmen cannot agree upon the compensation to be made to such workmen for in or respect thereof; disputes respecting the length, breadth, or quality of pieces of goods, or in the case of cotton manufacture, the yarn thereof, or the quantity and quality of the wool thereof; disputes respecting wages or compensation to be paid for pieces of goods that are made of any great or extraordinary length; disputes in the cotton manufacture respecting the manufacture of cravats, shawls, policat, romal, and other handkerchiefs, and the number to be contained in one piece of such handkerchiefs; disputes arising out of, for, or touching the particular trade or manufacture, or contracts relative thereto, which cannot be otherwise mutually adjusted and settled; dis-

putes between masters and persons engaged in seizing or ornamenting goods; but nothing in this act contained shall authorize any justice or justices acting as hereinafter mentioned to establish a rate of wages or price of labour or workmanship at which the workmen shall in future be paid, unless with the mutual consent of both master and workmen: provided, that all complaints by any workman as to bad materials shall be made within three weeks of his receiving the same; and all complaints arising from any other cause shall be made within six days after such cause of complaint shall arise, 5 G. 4. c. 96. s. 2.

10. Whenever such subjects of dispute shall arise as aforesaid, it shall be lawful for the master and workman, or either of them, to demand and have an arbitration or reference thereof in manner following: that is to say, where the party complaining and the party complained of shall come before or agree by any writing under their hands to abide by the determination of any justice of the peace or magistrate of any county, riding, division, stewartry, barony, city, burgh, town or place, within which the parties reside, it shall be lawful for such justice, &c. to hear and finally determine, in a summary manner, the matter in dispute between such parties; but if such parties shall not come before or so agree to abide by the determination of such justice, &c. then it shall be lawful for any such justice, &c., and such justice, &c. is hereby required, on complaint made before him, and proof by the examination of the party making such complaint, that application has been made to the person or persons against whom such cause of complaint has arisen, (or his, her, or their agent or agents, if such dispute has arisen with such agent or agents,) to settle such dispute, and that the same has not been settled upon such complaint being made, or where the dispute relates to a bad warp, that such cause of complaint has not been done away within 48 hours after such application, to summon before him such person or persons, or agent or agents, on some day not exceeding three days, exclusive of *Sunday*, after the making such complaint, giving notice to the person making such complaint of the time and place appointed in such summons for the attendance of such person or persons, agent or agents, as aforesaid; and if at such time and place the person or persons so summoned shall not appear by himself, herself, or themselves, or send some person on his, her, or their behalf, to settle such dispute, or appearing shall not do away such cause of complaint, then and in such case it shall be lawful for such justice, and he is hereby required, at the request of either of such parties, to nominate arbitrators or referees for settling the matters in dispute; and such justice shall then and there at such meeting propose not less than four nor more than six persons, one half of whom shall be master manufacturers, or agents or foremen of some master manufacturer, and the other half of whom shall be workmen in such manufacture; such respective persons residing in or near to the place where such disputes shall have arisen; out of which master manufacturers, agents, or foremen, the master engaged in such dispute, or his agent, shall choose one, and out of which workmen so proposed, the workman or his agent shall choose another, who shall have full power to hear and finally determine such dispute, 5 G. 4. c. 96. s. 5.

11. In case any or either of the persons so proposed by any such justice shall refuse or delay to accept such arbitration, or accepting shall not act therein, within two days after such nomination, the justice shall proceed to name another or other persons of the descriptions aforesaid, in the room of the person so refusing as aforesaid to be arbitrator or arbitrators in the place of any such arbitrator or arbitrators so refusing or delaying to accept, or who shall not act; and in every case of a second nomination the arbitrators shall meet within 24 hours after the application for the same, and at the same place at which the meeting of the referees first named was appointed, or at some other convenient place, as the justice may appoint; and the expence of every such application for the appointment of a second referee shall be borne and defrayed by the party through whose default, or the default of whose referee, such application is rendered necessary; and the justice making such second appointment shall certify the same in the form for that purpose hereafter set forth, or in some other form to the like effect; and in every case where a second arbitrator shall be appointed as aforesaid, and who shall not attend at the same time and place appointed for settling the matters in dispute, it shall be lawful for the other arbitrator, at such time and place, to proceed by himself to the hearing and determining of the same matters in dispute; and in such case the award of such sole arbitrator shall be final and conclusive as to all matters in dispute, submitted to such arbitrator, without being subject to review, appeal, or suspension, 5 G. 4. c. 96. s. 4.

12. The arbitrators or referees being so nominated as aforesaid, the said justice shall thereupon appoint a place of meeting according to the directions of this act, and also a day for the meeting, notice of which nomination, and of the day of meeting, shall thereupon be given by such justice to the persons so nominated arbitrators or referees, and to any party to any such dispute who may not have attended the meeting

before such justice as aforesaid; which appointment shall be by such justice certified in the form following, or in some other form to the like effect; that is to say,

‘ I A. B., one of the justices of the peace acting for —, do hereby certify, that C. D. and E. F. are duly nominated referees to settle the matters in difference between G. H. of —, master manufacturer, [or agent or foreman, as the case may be,] and I. K. of —, weaver, [or otherwise, as the case may be,] pursuant to an act passed in the fifth year of the reign of His present Majesty; and that the said referees are hereby directed to meet at —, on —, the — day of —, at — of the clock in the forenoon [or afternoon, as the case may be].
A. B.’

‘ I A. B., one of the justices of the peace acting for —, do hereby certify, that the above-named C. D. and E. F. [or one of them, as the case may be,] having refused or delayed to act in the above-mentioned reference, L. M. and N. O. [or L. M. only, as the case may be,] are [or is] by me duly nominated referees [or referee,] together with the above-named C. D. [or E. F.] to settle the matters in difference between the above-named G. H. and I. K.; and the said C. D. or E. F., together with the said L. M., [or the said L. M. or N. O., as the case may be,] are directed to meet at the place above mentioned, on —, the — day of —, in the year of our Lord —, at — of the clock in the forenoon [or afternoon, as the case may be].
A. B.’

And the persons so appointed as aforesaid shall hear and examine the parties and their witnesses, and determine such dispute within two days after such nomination, exclusive of *Sundays*; and the determination of such arbitrators shall be final and conclusive, 5 G. 4. c. 96. s. 5.

13. In all cases where complaints are made respecting bad warps or utensils by workmen, the place of meeting of the referees shall be at or as near as may be to the place where the work shall be carrying on; and in all other cases at or as near as may be to the place or places where the work has been given out, 5 G. 4. c. 96. s. 6.

14. If any person so complaining as aforesaid shall not attend, or send some person on his or her behalf, at the time and place appointed by such justice of the peace, for the purpose of naming such persons as aforesaid, such person shall not in such case be entitled to the benefit of this act; and if any person against whom any such complaint shall have been made as aforesaid shall not attend, or send some person on his or her behalf, the justice of the peace shall thereupon nominate a person for him out of such persons so proposed as aforesaid, 5 G. 4. c. 96. s. 7.

15. The said arbitrators and referees shall meet at the time and place fixed by the justice of the peace by whom such referees were appointed, and shall, by inspection of the work in regard to which the dispute may have arisen, by hearing and examining the parties, or any other persons on their behalf, or that attend to give evidence respecting the matters in dispute, upon oath, (which the said arbitrators and referees are hereby empowered to administer,) or otherwise, or by otherwise ascertaining the true state of the case, in such manner as to them shall appear necessary, proceed to determine the matter or matters in dispute referred to them; and the award to be made by them shall be final and conclusive between the parties, without being subject to review or challenge by any court or authority whatsoever, 5 G. 4. c. 96. s. 8.

16. It shall be lawful for any arbitrator or arbitrators, referee or referees, and he or they are hereby authorized and required at the request in writing of any of the parties, to issue his or their summons to any witness or witnesses to appear and give evidence before such arbitrator or arbitrators, referee or referees, at the time and place appointed for hearing and determining any such dispute, and which time and place shall be specified in such summons; and if any person so summoned to appear as a witness as aforesaid shall not appear before such arbitrator or arbitrators, referee or referees, at the time and place specified in such summons, or offer some reasonable excuse for the default, or appearing according to such summons, shall not submit to be examined as a witness, and give his evidence before such arbitrator or arbitrators, referee or referees, touching the matter of such dispute, in every such case it shall be lawful for any one or more of H. M.'s justices of the peace acting in and for the county, stewartry, riding, division, barony, city, burgh, town, or place where such dispute shall have arisen, (proof on oath in the case of any person not appearing according to such summons having been first made before such justice or justices of the due service of such summons on every such person by delivering the same to him, or by leaving the same 24 hours before the time appointed for such person to appear before such arbitrator or arbitrators, referee or referees, at the usual place of abode of such person,) by warrant under the hands of any such justice or justices to commit any such person so making default in appearing, or appearing and refusing to give evidence, to some prison within the jurisdiction of any such justice or justices, there to remain, without bail or mainprize, for any time not exceeding two calendar months, nor less than seven days, or until such person shall submit himself to be examined, and give his evidence before such arbitrator or arbitrators, referee or referees, as aforesaid: provided, that in case such dispute shall be heard and determined before such offender shall submit

to be examined, and give evidence as aforesaid, then and in every such case he, she, or they shall be imprisoned the full term of such commitment, 5 G. 4. c. 96. s. 9.

17. In case such arbitrators and referees so appointed cannot agree upon and decide such matter or matters in dispute so referred as aforesaid, or shall not make and sign their award within three days after the date of the order of such justice, certifying their appointment, then they shall, without delay, go before the justice by whom they were appointed, and in case of his absence or indisposition, before any other of H. M.'s justices of the peace acting in and for the county, stewardry, riding, division, barony city, burgh, town, liberty, or place, and residing nearest to the place where the meeting to settle such dispute shall have taken place, and shall state to such justice or justices who may be present, the points in difference between them, which points in difference the said justice or justices shall hear and determine upon the statement of the arbitrators and referees; who shall settle and determine the matter in dispute with all possible dispatch, and in all cases within the space of two days after the expiration of the time hereby allowed to the arbitrators and referees to make and sign their award; and the determination of such justice or justices shall be final and conclusive between the parties so differing as aforesaid, without being subject to review or challenge by any court whatsoever, 5 G. 4. c. 96. s. 10.

18. If either arbitrator or referee shall neglect or refuse to go before such justice of peace in the manner herein directed, it shall be lawful for such justice, after summoning the arbitrators to attend him, to determine the matter or matters in dispute upon the statement and representation of either of the arbitrators who shall come before him, 5 G. 4. c. 96. s. 11.

19. Provided, that no justice of the peace, being also a master manufacturer or agent, shall act as such justice under this act, 5 G. 4. c. 96. s. 12.

20. Provided that as well in all such cases of dispute as aforesaid as in all other cases, if the parties mutually agree that the matter in dispute shall be arbitrated and determined in a different mode to the one hereby prescribed, such agreement shall be valid, and the award and determination thereon final and conclusive between the parties, and the same proceedings of distress, sale, and imprisonment as hereafter mentioned, shall be had towards enforcing such award, (by application to any justice of the peace of the county, stewardry, riding, division, barony, city, town, burgh, or place within which the parties shall reside,) as are by this act prescribed for enforcing awards made under and by virtue of its provisions, 5 G. 4. c. 96. s. 13.

21. Where any work shall have been delivered to any workman by the agent or servant of any master or masters, to be when finished delivered to such agent or servant; and also where two or more persons shall carry on the business of such manufacture as partners, in every such case respectively the like proceedings shall be had and made against such agent, &c., and shall be as effectual as if the same had been had and made against the principal, or all the partners; and all the said persons respectively shall obey the award made thereupon, and all such order or orders as shall be made by the said justice or justices in or respecting the matters in dispute, and shall be subject to the same proceedings and consequences for refusing or delaying to abide by or perform the same, as if the proceedings had been had against the principal, or against all the partners, 5 G. 4. c. 96. s. 14.

22. It shall be lawful in all cases for any master or workman, by writing under his hand, to authorize any person to act for him in submitting to arbitration and attending arbitrators or justices touching the matter of any arbitration, 5 G. 4. c. 96. s. 15.

23. In all cases where any proceeding may be had against a master or masters under this act, or where such proceedings shall have been commenced, and the master or masters shall become or be bankrupt, or any assignment of his or their estate or effects shall have been made under the said bankruptcy, or otherwise by deed or in law, the factor or trustee upon, or the assignee or assignees of such estate or effects shall be liable to the proceedings authorized by this act against the master or masters, as fully as the master or masters was or were before the bankruptcy or assignment; and such proceedings may be commenced or carried on against such factor, trustee, assignee, or assignees, who shall fulfil and abide by the award made thereupon, and all such order or orders as shall be made by the said justice or justices in or respecting the matters in dispute, and shall be subject to the same proceedings and consequences for wilfully refusing or delaying to abide by or perform the same, as if the proceedings had been had against the master or masters before his or their bankruptcy, or the assignment of his or their estate or effects: provided, that all sums of money to be paid in pursuance of such award or orders shall be recoverable only out of the estate or effects of such master or masters, and not out of the proper money of such factor, trustee, assignee, or assignees, 5 G. 4. c. 96. s. 16.

24. Where any married woman, or infant under the age of 21 years, shall have cause of complaint in any of the cases provided for by this act, against any master or masters, his or their agent or servant, or

factor or trustee, or assignee or assignees as aforesaid, such complaint may be lodged, and all further proceedings thereupon had, by and in the name of the husband of such married woman, and of the father, or, if dead, of the mother, or if on the death of both parents, of any of the kindred of any such infant, or of the surety or sureties in any indenture of apprenticeship of any such infant, being an apprentice, or of any person nominated by such infant, if he or she shall not have parent, kindred, or surety; and all such proceedings shall be as effectual, valid, and binding, as if such married woman was sole, and such infants were of full age, and pursued by themselves the remedies provided by this act, 5 G. 4. c. 96. s. 17.

25. With every piece of work given out by the manufacturer to a workman to be done, there shall (if both parties are agreed) be delivered a note or ticket, in such form as the said parties shall mutually agree upon; and which said note or ticket, in the event of dispute between the manufacturer and workman, shall be evidence of all matters and things mentioned therein or respecting the same, 5 G. 4. c. 96. s. 18.

26. A duplicate of every such note or ticket shall be made and kept by the master or agent delivering the same, which duplicate shall be evidence of all the matters therein contained, in case the workman shall not produce to the arbitrators, or the said justice, as the case may be, the said note or ticket so delivered to him with the said work, 5 G. 4. c. 96. s. 19.

27. It shall not be allowable to any manufacturer, who shall have received into his possession any article without objection made within 24 hours by himself, or his clerk or foreman, afterwards to make any complaint on account of work so received, 5 G. 4. c. 96. s. 20.

28. If the parties by and between whom the said reference shall take place as aforesaid shall think it expedient, or be desirous to extend the time hereby limited for the making the award or umpirage, it shall be lawful for them to extend the same accordingly by endorsement, according to the form in the schedule hereunto annexed, on the back of the order of the justice of peace, certifying the appointment of the referees, to be signed by both of them in the presence of one credible witness, 5 G. 4. c. 96. s. 21.

29. The award or umpirage to be made upon any reference demanded under this act shall and may be drawn up and written at the foot or upon the back of the said order, certifying the appointment of the referees, according to the form in the schedule hereunto annexed, 5 G. 4. c. 96. s. 22.

30. Upon fulfilment of the award or umpirage, the same shall be acknowledged by the party in whose behalf the same was made, by an acknowledgment at the foot of the said award, in the form of the schedule hereunto annexed, which, with the award, shall thereupon be delivered to the party fulfilling the same, 5 G. 4. c. 96. s. 23.

31. If any party shall refuse or delay to fulfil an award under this act, for the space of two days after the same shall have been reduced into writing, it shall be lawful for any such justice as aforesaid, on the application of the party aggrieved, by warrant under his hand according to the form of the schedule hereunto annexed, or in some other form to the like effect, to cause the sum of money directed to be paid by any such award to be levied by distress and sale of any goods and chattels of the person or persons liable to pay the same, together with all costs and charges attending such distress and sale, such sale to take place within such time, not exceeding five days, as the said justice shall think proper: and the overplus, if any, to arise by such sale, to be rendered to the owners of the goods and chattels distrained; and in case it shall appear by any return to such warrant that no sufficient distress can be readily had, which return may be in the form contained in the schedule hereunto annexed, or in some other form to the like effect, it shall be lawful for any such justice by warrant under his hand, according to the form of the schedule hereunto annexed, or in some other form to the like effect, to commit the person or persons so liable as aforesaid to the common gaol, or some house of correction within his or their jurisdiction, there to remain without bail for any time not exceeding three months, 5 G. 4. c. 96. s. 24.

32. Whereas cases may occur where the recovery of such sum of money by distress and sale of the goods and chattels of the defaulter may appear to the justice or justices of the peace by whom the warrant is to be issued to be attended with consequences ruinous or in an especial manner injurious to the defaulter and his family; to prevent such consequences, be it enacted, That the said justice or justices, in all such cases, shall withhold such warrant, and commit the defaulter to the common gaol or some house of correction within his or their jurisdiction, there to remain without bail for any time not exceeding three months; such commitment to be in the form or to the effect of the form in the schedule to this act annexed, 5 G. 4. c. 96. s. 25.

33. Where any person shall be committed to prison for refusing or delaying to fulfil an award as aforesaid, and such person shall, at any time during the period of his or her imprisonment, pay to the governor or keeper of the prison the full amount of the sum awarded, with all

reasonable expences incurred through such refusal or delay, it shall be lawful for such governor or keeper of such prison, and he is hereby required forthwith to discharge such person from his custody, 5 G. 4. c. 96. s. 26.

34. The justice or justices by whom any person or persons shall be committed to prison for not appearing as a witness, or not submitting to be examined, shall cause the warrant or order for such commitment to be drawn up in the form or to the effect set forth in the schedule to this act, [see s. 9. pl. 16.] 5 G. 4. c. 96. s. 27.

35. No appeal or *certiorari* shall lie against any proceedings under this act; [5 G. 4. c. 96. s. 28.] no proceedings under this act shall be invalid for want of form, 5 G. 4. c. 96. s. 29.

36. The following and no higher fees shall be allowed to be taken for any proceeding under this act; (that is to say,) to the clerk of the justice or justices: for each summons, 2d.; for every oath or affirmation, 3d.; for drawing and entering the order, 4d.; for every warrant, 6d.:—to the constable or other peace-officer: for service of summons or order, 4d.; for executing warrant of distress and sale of goods, 1s.; for custody of goods distrained, *per diem*, 3d.; for every mile he shall travel, 3d.; for every caption, 6d.: and a table of fees, signed by the clerk to such justice or justices, shall be hung up in every place where any general or quarter session, or petty or other sessions of the peace, shall be held, 5 G. 4. c. 96. s. 30.

37. All costs, time, and expences attending the application to justices, to be made under this act, and of the arbitration pursuant thereon, shall be settled by the arbitrators or arbitrator by whom such dispute shall be settled; and where the same shall be determined by any justice, pursuant to this act, then the costs, time, and expences aforesaid shall be settled by such justice; and where the arbitrators appointed as aforesaid cannot agree as to the costs, time, and expences to be allowed, the same shall be settled by the justice or justices of the peace by whom the said arbitrators were named, and in case of his absence or indisposition, by any justice of peace for the same county, stewardry, riding, division, barony, city, burgh, liberty, town, or place nearest to the place at which the arbitrators met to settle the dispute: provided, that no master manufacturer, his foreman, or agent, shall in any case be allowed for costs, time, or expences, by the said justice or justices, unless it shall appear to him or them that the proceedings of the workmen were vexatious and oppressive, 5 G. 4. c. 96. s. 31.

38. Every agreement, submission, award, ticket, matter, or thing, under and by virtue of this act, or relating to any other mode of arbitration as aforesaid, shall and may be drawn up and written upon unstamped paper, 5 G. 4. c. 96. s. 32.

39. No action shall be brought against any arbitrator, justice of peace, constable, headborough, or other officer, or against any other person or persons whomsoever, for any matter or thing whatsoever done or committed under or by virtue or in the execution of this act, unless such action shall be brought within six calendar months next after the doing or committing of such matter or thing, 5 G. 4. c. 96. s. 33.

40. If any action or suit shall hereafter be commenced or prosecuted against any person or persons for any thing done under, by virtue, or in the execution of this act, such person or persons may plead the general issue, and give this act and the special matter in evidence; and if the plaintiff shall become nonsuited or suffer discontinuance, or forbear further prosecution, or if judgment shall be given for the defendant or defendants, such defendant or defendants shall recover his, her, or their full costs, and for which he, she, or they shall have like remedy as in cases where costs by law are given to defendants, 5 G. 4. c. 96. s. 34.

41. Nothing in this act shall extend to repeal, abridge, annul, or make void any of the clauses, provisions, remedies, or powers contained in any law or statute now in force, and not repealed by this act, 5 G. 4. c. 96. s. 35.

SCHEDULES to which 5 G. 4. c. 96. refers.

Form of the award to be written at the foot or upon the back of the order of the justices of peace certifying the reference. [See ss. 22. 25. pl. 28. 31.]

'We, I. K. and L. M. [name and describe the referees], the referees appointed to settle the matters in dispute between the parties within named [or, I. K. one of the referees so appointed; or, L. M. the other referee appointed having failed to attend; or, I N. O. the justice, as the case may be], do hereby adjudge and determine that [here set forth the determination; to which the referee or referees, or justice, as the case may be, shall subscribe their names].'

Form of endorsement, extending the time limited for making the award. [See s. 21. pl. 27.]

'We, A. B. and C. D., parties to the within reference, do hereby agree to extend the same to the — day of — inclusive. Witness our hands, this — day of —.

Witness,

A. B.
C. D.'

Form of acknowledgment of fulfilment of the award, to be written at the foot or on the back thereof. [See s. 23. pl. 29.]

'I A. B. do hereby acknowledge that the above award hath been fulfilled by C. D., who is hereby discharged of the same. Witness my hand, this — day of —.

Witness,

A. B.'

Form of the oath to be administered by the arbitrators or justice to the parties and witnesses under this act. [See s. 8. pl. 15.]

'The evidence that you shall give before us the arbitrators appointed by C. D. and E. F. [the parties] to determine the matters in difference between them under and by virtue of an act passed in the fifth year of the reign of King George the Fourth, intituled, *An Act to consolidate and amend the laws relative to the arbitration of disputes between masters and workmen*, shall be the truth, the whole truth, and nothing but the truth. So help you God.'

Form of commitment of a person summoned as witness before the arbitrators. [See ss. 9. 27. pl. 16. 33.]

'Whereas proof on oath hath been made before me one of H. M.'s justices of the peace for the county [or riding, stewardry, division, city, burgh, liberty, town, or place], of — on this — day of —, that A. B. hath been duly summoned, and hath neglected to appear and give evidence before C. D. and E. F., the arbitrators appointed by and between G. H. and I. K. to determine the matters in dispute between them at —, in the county [or riding, stewardry, division, city, burgh, liberty, town, or place], of —, on the — day of —, under and by virtue of an act made in the fifth year of the reign of His present Majesty, intituled, '*An Act [here set forth the title of this act]*'; and the said A. B. being required by me, the said justice, to give evidence before the said arbitrators, and still refusing so to do, therefore I, the said justice, do hereby, in pursuance of the said act, commit the said A. B. to the [describing the prison and the house of correction], there to remain without bail or mainprize for his [or her] offence aforesaid, until he [or she] shall submit himself [or herself] to be examined, and give his [or her] evidence before the said arbitrators, touching the matters referred to them as aforesaid, or shall otherwise be discharged by due course of law: and you the [constable or other peace-officer or officers to whom the warrant is directed] are hereby authorized and required to take into your custody the body of the said A. B. and him [or her] safely to convey to the said prison [or house of correction] and him [or her] there to deliver to the gaoler [or keeper] thereof, who is hereby authorized and required to receive into his custody the body of the said A. B., and him [or her] safely to detain and keep, pursuant to this commitment. Given under my hand, this — day of —, in the year of our Lord —.

[This commitment to be directed to the proper peace-officer, and the gaoler [or keeper] of the prison or house of correction.]

Form of warrant of distress. [See s. 24. pl. 30.]

To the Constable of —.

'Whereas — of —, under an award made by —, on the — day of —, in the year of our Lord —, pursuant to an act passed in the fifth year of the reign of His present Majesty, intituled, '*An Act [state the title of this act]*', is liable to pay to — of — the sum of —, and also the sum of —, and the said — having refused or neglected to pay the same for the space of two days and upwards subsequent to the making such award, these are therefore to command you to levy the said sum of — by distress and sale of the goods and chattels of the said —, and I do hereby order and direct the goods and chattels so to be distrained to be sold and disposed of within — days, unless the said sum of —, for which such distress shall be made, together with the reasonable charges of taking and keeping such distress, shall be sooner paid; and you are also hereby commanded to certify to me what you shall do by virtue of this my warrant. Given under my hand and seal, at —, the — day of —.'

Form of the constable's return to the warrant of distress. [See s. 24. pl. 30.]

'I, —, constable of —, do hereby certify to —, justice of the peace of —, that I have made diligent search for, but do not know of, nor can find any goods and chattels of —, by distress and sale whereof I may levy the sum of —, pursuant to his warrant for that purpose. Dated the — day of —, in the year of our Lord —. Given under my hand this — day of —, in the year of our Lord —.'

Form of commitment thereupon to the house of correction. [See s. 24. pl. 30.]

County of } To the constable of —, and also to the keeper of the house of correction at —.

'Whereas — of —, under an award made by —, on the — day of —, in the year of our Lord —, pursuant to an act passed in the fifth year of the reign of His present Majesty, intituled, '*An Act [state the title of this act]*', became liable to pay to — the sum of —, and also the sum of — for costs, time, and expences, making together the sum of —, and having refused or neglected to pay the same for the space of two days and upwards subsequent to the making of such award, my warrant was, according to the provisions of the said act, duly made and issued for the levying the said sum of — by distress and sale

of the goods and chattels of the said —; and whereas it appears by the return of —, constable of —, dated the — day of —, that he hath made diligent search for, but doth not know of nor can find any goods and chattels of the said — by distress and sale whereof the said sum of — may be levied pursuant to my said warrant: these are therefore to command you, the said constable of —, to apprehend the said —, and convey him to the said house of correction at — aforesaid, and deliver him there to the keeper of the said house of correction; and these are also to command you the keeper of the said house of correction to receive him the said — into the said house of correction, and there keep him without bail or mainprize for the space of — months, unless the said sum of —, so ordered to be paid as aforesaid, shall be sooner satisfied, with all reasonable expences. Given under my hand and seal, at —, the — day of —.

Form of commitment where the warrant of distress is withheld.

[See s. 25. pl. 31.]

County of } To the constable of —, and also to the keeper of the house of
 } correction at —.

‘Whereas — of —, under an award made by —, on the — day of —, in the year of our Lord —, pursuant to an act passed in the fifth year of the reign of His present Majesty, intituled, ‘*An Act [state the title of this act]*,’ became liable to pay to — the sum of —, and also the sum of — for costs, time, and expences, making together the sum of —, which he has refused or neglected to pay for the space of two days and upwards subsequent to the making of such award; and whereas it appears to me that the recovery of such sum and warrant of distress and sale of the goods and chattels of the said — will be attended with consequences ruinous or in an especial manner injurious to the defaulter [and his family, if any], and I have therefore determined to withhold such warrant and to commit the said — to prison, pursuant to the said act: these are therefore to command you, the said constable of —, to apprehend the said —, and convey him to the said house of correction at — aforesaid, and deliver him there to the keeper of the said house of correction; and these are also to command you, the keeper of the said house of correction, to receive him the said — into the said house of correction, and there keep him without bail or mainprize for the space of — months, unless the said sum of —, so ordered to be paid as aforesaid, shall be sooner satisfied, with all reasonable expences. Given under my hand and seal, at —, the — day of —.

42. To repeal the laws relative to artificers going into foreign parts, 5 G. 4. c. 97.

43. Whereas it is expedient that the several laws relative to artificers going into foreign parts should be repealed: be it enacted, That from the 21st June, 1824, stat. 5 G. 1. c. 27. [Stat. Dig. tit. MANUFACTURES, pl. 54.] intituled, *An Act to prevent the inconveniences arising from seducing artificers in the manufactures of G. B. into foreign parts*; also stat. 25 G. 2. c. 15. ss. 1, 2. [Stat. Dig. tit. MANUFACTURES, pl. 54.] intituled, *An Act for the effectual punishing of persons convicted of seducing artificers in the manufactures of G. B. or Ire. out of the dominions of the crown of G. B.; and to prevent the exportation of utensils made use of in the woollen and silk manufactures from G. B. or Ire. into foreign parts; and for the more easy and speedy determination of appeals allowed in certain cases by an act made in the last session of parliament, relating to persons employed in the several manufactures therein mentioned*; as relates to contracting with, enticing, persuading, or endeavouring to persuade, solicit, or seduce manufacturers, workmen, and artificers, as therein mentioned; also stat. 22 G. 3. c. 60. ss. 1, 2. [Stat. Dig. tit. MANUFACTURES, pl. 77, 78.] intituled, *An Act to prevent the seducing of artificers or workmen employed in printing calicoes, cottons, muslins, and linens, or in making or preparing blocks, plates, or other implements used in that manufactory, to go to parts beyond the seas; and to prohibit the exportation to foreign parts any such blocks, plates, or other implements, as relates to contracting with, enticing, persuading, or endeavouring to seduce or encourage artificers and workmen as therein mentioned*; also so much of 25 G. 3. (Ire.) intituled, *An Act to prevent the practice of seducing artificers and manufacturers of this kingdom, and of exporting the several tools and utensils made use of in preparing and working up the manufactures thereof, into parts beyond the seas, as relates to contracting with, enticing, persuading, or endeavouring to persuade, solicit, or seduce manufacturers, workmen, or artificers, as therein mentioned*; and also stat. 25 G. 3. c. 67. ss. 6, 7. [Stat. Dig. tit. MANUFACTURES, pl. 91, 92.] intituled, *An Act to prohibit the exportation to foreign parts of tools and utensils made use of in the iron and steel manufactures of this kingdom; and to prevent the seducing of artificers or workmen employed in those manufactures to go into parts beyond the seas, as relates to contracting with, enticing, persuading, or endeavouring to seduce or encourage artificers or workmen as therein mentioned*; also stat. 39 G. 3. c. 56. s. 8. intituled, *An Act to explain and amend the laws relative to colliers in that part of G. B. called Scot.; as punishes the seducing or attempting to seduce colliers or others, as therein mentioned*; together with every other law, statute, or enactment relative to the same subject, or any of them, and whether in force throughout or in any of the U. K. of G. B. and Ire., shall be and the

same are hereby repealed, save and except in as far as the same may have repealed any prior act or enactment, 5 G. 4. c. 97. s. 1.

LAND-TAX.

1. For rectifying the mistakes in the names of the land-tax commissioners, and for appointing additional commissioners, and indemnifying such persons as have acted without due authority in execution of the acts therein recited, 3 G. 4. c. 14. and 4 G. 4. c. 68.

2. Recital of 1 & 2 G. 4. c. 123. [Stat. Dig. this title, pl. 9.] and of 3 G. 4. c. 14. and the annual pension duty act, 3 G. 4. c. 3. and certain persons herein named appointed commissioners for putting the said acts in execution in G. B., as if named in 1 & 2 G. 4. c. 123. and no mistake in the spelling of the christian and surname of any person or of any place mentioned in the said acts, or this act, shall vitiate the appointment of such person to be a commissioner, so that the person or place mentioned be designated therein to common intent and understanding, or to subject any person so designated to any pains or penalty for his acting in execution of the said acts, 3 G. 4. c. 14. s. 1. — 4 G. 4. c. 68. s. 1.

3. Provided, that the several persons appointed by the said acts shall severally have the qualifications by 38 G. 3. c. 5. and 38 G. 3. c. 48. [Stat. Dig. this title, pl. 98—105.] required, and shall be subject to the pains and penalties in the said act contained, 3 G. 4. c. 14. s. 2. — 4 G. 4. c. 68. s. 2.

4. Provided also, that where in any city, liberty, or place, the qualification shall consist of personal estate, it shall be lawful for any person having a personal estate of the value required by the said acts, or either of them, [Stat. Dig. this title, pl. 102.] to act as such commissioner in all cases where such person shall have been taxed, and shall have paid for such personal estate, by and upon the last assessment then made for such city, liberty, or place, by virtue of an act for continuing and granting to H. M. a duty on pensions, offices, and personal estates in Eng., passed before the making of such assessment 5 G. 4. c. 14. s. 3. — 4 G. 4. c. 68. s. 3.

5. And whereas several persons may have acted as commissioners for executing the said acts without having been properly named as commissioners by 1 & 2 G. 4. c. 123. [Stat. Dig. this title, pl. 9.] and 3 G. 4. c. 14., and others named in former acts of parliament to be commissioners may have been omitted in the 1 & 2 G. 4. c. 123. and 3 G. 4. c. 14. and may have acted as aforesaid, before notice of such omission; and whereas it is expedient that such persons should be indemnified for such acting, and that all acts by them done should be confirmed and made valid; be it therefore enacted, That all acts done by any such persons in the execution of the said acts, or of any other acts, to be executed by such commissioners, shall be and are hereby declared to be valid; and that all personal actions and suits, indictment, informations, and all prosecutions and proceedings whatsoever, which have been or shall be prosecuted or commenced against any person or persons for or by reason of such acting, are declared to be void by virtue of this act, and shall be quashed and determined; and if any action or suit shall be prosecuted or commenced against any person or persons for or by reason of such acting, such person or persons may plead the general issue, and give this act and the special matter in evidence, 3 G. 4. c. 14. s. 4. — 4 G. 4. c. 68. s. 4.

6. And whereas by 1 & 2 G. 4. c. 123. s. 4. [Stat. Dig. this title, pl. 10.] it was provided, that no person who should have held the office of inspector, or surveyor of assessed taxes, should, from and after the passing of the said act, be capable of acting as such commissioner, although such person might be named in the said act as such commissioner: be it further enacted, That nothing contained in the hereinbefore recited act shall extend to incapacitate or disqualify any person who shall have held the said office of inspector, or surveyor of assessed taxes, from acting as a commissioner of the land-tax in any other district or division than that in which he shall have executed the said office of inspector, or surveyor of assessed taxes, if such person shall in other respects be duly qualified to act as such commissioner, and shall actually and *bonâ fide* have resigned the said office of inspector, or surveyor of assessed taxes, and also acted as such commissioner previously to the passing of 1 & 2 G. 4. c. 123., 3 G. 4. c. 14. s. 5. — 4 G. 4. c. 68. s. 5.

7. To provide for the application of monies arising in certain cases of assessments for land-tax in G. B., 6 G. 4. c. 32.

8. Whereas the commissioners acting in the execution of the acts relating to the land-tax have in certain districts, by reason of the frequent changes in the extent and number of buildings and inhabitants, and in the occupation of houses after assessments made upon them, or

for other causes, been unable to apportion, assess, and raise the quota or proportion payable by each parish or place for the land-tax, without exceeding the amount of such quota in the aggregate of the assessments made and delivered to the several collectors thereof, whereby an excess beyond the quota has arisen in the collection: And whereas it is therefore expedient to make provision, as well for avoiding as much as possible any such excess in the assessment and collection, as for the application of monies arising therefrom in aid and for the benefit of the parish or place, in the manner herein-after provided; be it therefore enacted, That in every case where the assessment made or to be made and allowed under the provisions of the acts relating to the land-tax, for and upon any city, borough, town, parish, ward, or place, in any district or division in *G. B.*, shall exceed, by the amount of 5*l.* sterling, the quota or proportion payable to *H. M.* by or for such city, borough, town, parish, ward, or place, under the provisions of the said acts, the respective commissioners acting within and for the districts or divisions within which any such excess of assessment shall be made or arise, shall, and they are hereby authorized and required, on or before the 24th *Dec.* 1825, for and in respect of the assessments for the year ended on the 25th *March*, 1825, and in like manner for and in respect of any such assessments made or to be made for any subsequent year or years, on or before the 24th *Dec.* following the expiration of the year of assessment, yearly to prepare and transmit, or cause to be prepared and transmitted, by their clerk, to the commissioners for the affairs of taxes, or to their secretary for the time being, to be by the said commissioners from time to time laid before the commissioners of *H. M.*'s treasury of the *U. K.* of *G. B.* and *Ire.* for the time being, for the purposes herein-after expressed, a certificate, fairly written, under the hands of any three or more of the said commissioners acting in the execution of the said acts, in and for the district or division to which any such certificate shall relate, containing the amount of the quota or proportion of land-tax charged on such city, borough, town, parish, ward, or place, and returned in the parchment duplicates of assessment, as required by the said acts, the actual and total amount of any such assessment delivered to the collector or collectors thereof, the city, borough, town, parish, ward or place, and the name or names of such collector or collectors, together with the amount of the sum by which the actual assessment shall in any such case exceed the quota or proportion chargeable on each such city, borough, town, parish, ward, or place, and the amount of such excess (if any) which shall have been collected and received by the several collectors thereof, previously to the transmission of such certificate, as nearly as the same can be made out; and where the whole collection for any year to which such certificate shall apply shall not have been closed, so as to ascertain and include therein the full excess assessed and collected, and to be accounted for under the provisions of this act, the respective commissioners shall, and they are hereby required to include and insert the further amount of such excess in the certificate for the next subsequent year or years within which it shall be collected, distinguishing therein the year or years to which such excess last mentioned shall relate, until the whole of the excess shall have been fully and duly accounted for on each year, under the provisions of this act: provided, and in every case, where any monies arising from any such excess of the collection on the assessments or assessment for any former years or year, shall remain in the hands of any collector or collectors, or of any other person or persons, at the time of the passing of this act, the commissioners of the district in which the same shall have arisen, or any three of them, shall, on or before the said 24th *Dec.* 1825, in like manner prepare and transmit, or cause to be prepared and transmitted to the said commissioners for the affairs of taxes, or their secretary, a certificate thereof, under their hands, containing the total amount of the sum or balance remaining unappropriated on all former years, with the names and descriptions of the collector or person in whose hands, custody, or power all and every or any part of such monies or balances shall remain, distinguishing the amount in the hands of each such person respectively; and the full amount of such excess, when and as the same shall be collected and arise as aforesaid, and also of all such money arising in former years as aforesaid, shall be paid over by the several collectors thereof, and other persons respectively holding the same, to the several receivers general of the land-tax, 6 *G. 4. c. 32. s. 1.*

9. It shall and may be lawful for the treasury, and they are hereby authorized and required, on the receipt of any such certificate, to authorize and direct from time to time the net produce and amount of such excess of assessment and collection to be applied to *H. M.*'s use, in part payment and discharge of any assessment of the land-tax made or to be made on the city, borough, town, parish, ward or place, within which such excess or assessment shall have been raised and collected for any subsequent year or years, in such manner as shall be authorized by the said commissioners of *H. M.*'s treasury for the time being in that behalf; and the warrant of the commissioners for the affairs of taxes, under the directions of the said commissioners of the treasury, shall be

a sufficient power and authority to the several receivers-general receiving the same; and they are hereby respectively required, on the receipt of every such warrant, to apportion, apply, and pay over, or cause to be apportioned, applied, and paid over, any such excess or surplus money, in the manner to be directed by such warrants respectively, 6 *G. 4. c. 32. s. 2.*

10. And whereas by the said acts relating to the land-tax the commissioners in their several districts are required to sign and seal two duplicates of the assessments made by the several assessors, for each parish, township, or place, in pursuance of the warrants to them directed by the said commissioners in that behalf, and to deliver, or cause to be delivered, one of such duplicates to the several collectors appointed to collect the same, with warrants, after the appeals therefrom shall have been heard and determined by the said commissioners, in pursuance of the notice for that purpose by the said acts provided, and the said collectors are required, upon the application of any person who shall think himself or herself aggrieved or over-rated by any assessment, to permit such person or persons, or their stewards or bailiffs, or other proper representatives, to inspect the said duplicates of assessments, at all reasonable times in the day, without fee or reward for the same: and whereas it is expedient to make further provision for preventing irregularities in the making and collection of future assessments of the land-tax, be it further enacted, That from and after the passing of this act [10th *June* 1825], the respective commissioners are hereby required to certify or cause to be certified by their clerk, in writing, upon or with the warrant or warrants, or instructions for making the assessment to be delivered to the respective assessors under the provisions of the said acts, the amount of the quota or sum in charge against such parish, township, or place, under the provisions of the said acts, and according to the parchment duplicates thereof, thereby directed to be transmitted to the receiver-general, and to the court of exchequer, distinguishing by such certificate the proportion exonerated from the amount to be raised by assessment for the particular year, and the parish, township, or place respectively, to which any such warrant, precept, or instructions shall relate, 6 *G. 4. c. 32. s. 3.*

11. Before the duplicates of the said assessments for any year shall be signed and allowed by the respective commissioners, and one part thereof shall be delivered to the collectors for collection in manner aforesaid, the clerk to such commissioners shall and he is hereby required to cause the sums assessed to be duly cast up, and the total amount of such assessment to be inserted at the foot thereof, and where any such assessment shall contain two or more pages, to cause each page to be duly cast up, and the amount inserted at the foot thereof, and carried forward so as to form the total on the last page in any such duplicate; and if in any case the total amount of the sums charged by any such assessment shall exceed the actual amount of the said quota or proportion charged and to be raised in any year, in any parish, township, or place to which the same shall relate, every such clerk shall insert at the foot of the duplicate of assessment a summary relating to every such assessment last aforesaid, according to the form annexed to this act, marked with the letter (A); and if any such clerk shall neglect or refuse to perform the duty hereby required, he shall for every such offence forfeit and pay the penalty of 20*l.*, to be sued for and recovered as any penalty may be sued for and recovered under the said acts, 6 *G. 4. c. 32. s. 4.*

12. The collector or collectors appointed to collect any such assessment for any parish, township, or place as aforesaid, when required so to do, by the churchwardens and overseers or guardians of the poor, or any two of them, or by any person authorized by the inhabitants of any such parish, township, or place, in vestry assembled, shall deliver to them respectively an account in writing of the sums collected and received by such collector or collectors, for or on account of any such assessment, and of the sums in arrear, and of the sums remaining in his or their hands, and also of the sums paid to the receiver-general; and if any collector shall refuse or neglect so to do, within 14 days after such demand shall be made, he shall forfeit and pay the sum of 20*l.*, to be sued for and recovered in like manner as any penalty may be sued for or recovered under the said acts, 6 *G. 4. c. 32. s. 5.*

13. The several provisions of this act shall be extended and applied to any assessment on personal estate to be raised under any act or acts passed or to be passed for that purpose, where such assessment shall exceed, by the sum of 5*l.* sterling, the quota or proportion to be raised and paid to *H. M.*'s use, under any such act or acts, by or for any city, borough, town, parish, ward, or place, 6 *G. 4. c. 32. s. 6.*

14. To the end that the due application of any monies which shall or may be collected by the several collectors, for any city, borough, town, parish, ward, or place, over and above the quota or proportion by law payable, may be duly secured under the provisions of this act, all and every the powers and provisions contained in the said acts for raising the land-tax, shall and may be practised and put in execution, for the levying, securing, and recovery of the excess or surplus money to be collected by the

several collectors or other persons receiving the same, in manner aforesaid, and in aid of such city, borough, town, parish, ward, or place, to all intents as if the assessment including any such excess monies contained no more than the quota or proportion of land-tax payable by such city, borough, town, parish, ward, or place to which the same shall relate, under the provisions of the said acts; and all collectors or other persons wilfully detaining any part or portion of the monies so collected, or misapplying the same, or disobeying or disregarding the warrants herein directed, for payment of such excess of monies, shall be subject to the like process, and to the same penalties and forfeitures as are provided by the said acts, or are otherwise authorized in cases of misapplication or default in accounting for and paying over or withholding the land-tax, 6 G. 4. c. 32. s. 7.

15. And whereas it has been the practice for the commissioners in certain extensive districts to apply some portions of the excess of the land-tax assessments for defraying incidental expences incurred by the said commissioners or by their clerk, in relation to such assessments, for satisfying which the compensation to the clerk, by his poundage on the amount of the quota of the land-tax, has been found inadequate, and it may be reasonable to provide for such expences for the future; be it further enacted, That it shall and may be lawful for the treasury to order and direct the allowance and discharge of such actual expences, or any part thereof, as shall be necessarily incurred by any such commissioners, or by their clerk, in the due execution of the said acts, where such allowance shall appear to the treasury reasonable and proper to be made, over and above the allowance by poundage to any such clerk, for the particular year of assessment to which such expences shall relate, under the authority of the said act: provided such expences shall from time to time be certified to the treasury, by any three of the commissioners, at a general meeting of the commission of the district in which the same shall arise, and the certificate of the commissioners for the affairs of taxes, or any three or more of them, shall be an authority to the receiver-general respectively, to pay such expences, or so much thereof as shall be directed by the treasury to be so allowed, 6 G. 4. c. 32. s. 8.

SCHEDULE (A.) to which 6 G. 4. c. 32. refers.

[See s. 4. pl. 11.]

Summary of the foregoing assessments on lands, tenements, and hereditaments, for the year 18—

	£. s. d.	£. s. d.
Assessed and exonerated.....		
Assessed and not exonerated.....		
Total by the Assessment.....		£
Deduct Quota or Charge on Lands, Tenements, and Hereditaments, by Parchment Duplicate, under 38 G. 3. c. 5. ; viz.		
Excess on Assessment.....		£

Examined,

(Signed)

Clerk.

Note.—Where there is a separate assessment for personal estates exceeding the quota, a corresponding and distinct certificate is required to be in like manner subscribed to such assessment.

LEVANT COMPANY.

1. To repeal certain acts relating to the governor and company of merchants of *Eng.* trading to the *Levant* seas, and the duties payable to them; and to authorize the transfer and dis-

posal of the possessions and property of the said governor and company for the public service, 6 G. 4. c. 33.

2. Whereas by letters patent bearing date 14th Dec. 5 Ja. 1. did grant to several persons therein named, and to their sons and such others as should thereafter be admitted and made free, that they should be one fellowship, and one body corporate and politic, by the name of "The Governor and Company of Merchants of *Eng.* trading to the *Levant* Seas;" and by the same name should have perpetual succession, with certain rights and privileges in the said letters patent specified: and whereas letters patent bearing date 2d April, 13 C. 2. did ratify and confirm the said letters patent of King James the First, and did grant further authorities and privileges to the said governor and company: and whereas by divers acts certain regulations have been made respecting the said company, and the dues and duties payable to the said company, that is to say, the 26 G. 2. c. 18. intituled, *An Act for enlarging and regulating the trade into the Levant seas*; the 20 G. 3. c. 18., among other things, for the allowing the importation into and exportation from *Ire.* of such goods as may be imported into or exported from *G. B.* by the merchants of *Eng.* trading to the *Levant* seas; the 43 G. 3. c. 153., to permit the importation into *G. B.* and *Ire.* of certain goods, wares, and merchandize in neutral vessels; the 55 G. 3. c. 29., intituled, *An Act to regulate the trade between Malta and its dependencies and H. M.'s colonies and plantations in America, and also between Malta and the U. K.*; the 57 G. 3. c. 4., intituled, *An Act to extend the privileges of the trade of Malta to the port of Gibraltar*; and 59 G. 3. c. 110., intituled, *An Act to remove doubts respecting the dues payable to the Levant company*: and whereas it would be beneficial to the trade of the U. K., and especially to the trade carried on in the *Levant* seas, that the exclusive rights and privileges of the said governor and company under the said letters patent and acts of parliament should cease and determine: and whereas the said governor and company are willing and desirous to surrender up the said letters patent into H. M.'s hands: be it enacted, That whenever and so soon as any deed or instrument by which the said governor and company shall so surrender up to H. M. the said letters patent, and all rights, powers, and privileges thereby granted or confirmed to the said governor and company, shall be made and executed under the common seal of the said governor and company, and shall be enrolled in H. M.'s high court of chancery, the said several letters patent and grants herein-before recited, and every matter, clause, and thing herein contained, shall be and become, and the same are hereby declared to be and become null and void; and that from and immediately after the enrolment of such deed or instrument, the said governor and company shall cease to be a body politic and corporate, and the said corporation shall be dissolved to all intents, constructions, and purposes whatsoever; and all rights, powers, and privileges by the said letters patent, or by the said several herein-before recited acts, or by any other authority or means granted to or possessed by the said governor and company, shall from thenceforth cease and determine; any thing in the said several letters patent and acts, or any of them, to the contrary in anywise notwithstanding; and the said governor and company shall be and they are hereby divested of and from all land, houses, and buildings, by whatever tenure holden, at any time heretofore purchased, acquired, or holden by the said governor and company, and which are holden, possessed, or claimed by the said governor and company, within the U. K., or at *Smyrna* or elsewhere, and all such land, houses, buildings, and all right, title, estate, or interest therein or thereto, holden, purchased, acquired, possessed, enjoyed, or claimed by the said governor and company, shall thenceforth be and the same and every of them are and is hereby declared and enacted to be fully and absolutely vested in H. M. his heirs and successors, for ever, 6 G. 4. c. 33. s. 1.

3. And whereas certain grants of money have been from time to time made to the said governor and company of merchants of *Eng.* trading to the *Levant* seas, by sundry acts, for the purpose of better enabling them to carry into effect the objects for which they were incorporated: and whereas it is just and expedient that all such property as shall belong to or be at the disposal of the said governor and company under or by virtue of the said letters patent and acts, or any of them respectively, at the time of such their dissolution, should, after the payment of all debts and demands to which the said governor and company may be liable as such corporation, be applied to the public service, in the manner herein-after directed; be it therefore enacted, That from and immediately after the enrolment of any such deed or instrument as aforesaid, whereby the said corporation shall be dissolved in manner directed by this act, all monies in the public funds, and all other monies, goods, chattels, property, and other personal estate and effects whatsoever, in the possession or at the disposal of the said governor and company as such corporation as aforesaid, or to which the said governor and company as such corporation are or shall be entitled, or which shall or may be due to the said governor and company as such corporation, shall be and become vested, and are hereby vested in the treasury of the U. K., and that it shall and may be lawful for the treasury to accept, receive, and recover,

and to sell, transfer, and dispose of all such funds, monies, goods, chattels, property, and other personal estate and effects whatsoever, and to apply the produce thereof, in the first place, in and for the payment of all just debts and demands to which the said governor and company are or shall be liable at the dissolution of such corporation, on account of any matter or thing relating to such corporation; and from and after payment of all such debts and demands, it shall be lawful for the treasury to direct, that all the remainder and surplus of the produce of such public funds, monies, goods, chattels, property, and other personal estate as aforesaid shall be paid into the receipt of H. M.'s exchequer at *Westminster*, and shall be placed to the account of and made part of the consolidated fund of the U. K. of *G. B.* and *Ire.*, 6 *G. 4. c. 33. s. 2.*

4. From and immediately after the enrolment in H. M.'s high court of chancery of such deed or instrument as aforesaid, the 26 *G. 2. c. 18.* and 59 *G. 3. c. 110.*, and all powers for the levying of any duties or dues heretofore payable to the said governor and company, shall be and the same are hereby repealed; and all such duties and dues, and all powers for levying the same, shall cease and determine, except only so far as relates to the payment and recovery of any arrears of duties and dues which shall be payable to the said company at the time of the enrolment of such deed or instrument; and also that from and after such enrolment of such deed or instrument, all and every clause, matter, and thing contained in the 20 *G. 3. c. 18. ss. 3, 4.*, 45 *G. 3. c. 153.* [both in part previously *REP. by 3 G. 4. c. 45. s. 1.*] 55 *G. 3. c. 29.*, and 53 *G. 3. c. 4.*, in any way extending or relating to the said governor and company, shall be and the same are from thenceforth hereby repealed; any thing in the said recited acts or any of them, or any other law, usage, or custom to the contrary in anywise notwithstanding, 6 *G. 4. c. 33. s. 3.*

5. From and immediately after the enrolment of any such deed or instrument as aforesaid, all such rights and duties of jurisdiction and authority over H. M.'s subjects resorting to the ports of the *Levant* for the purposes of trade or otherwise, as were lawfully exercised and performed, or which the said recited letters patent or acts, or any of them, authorized to be exercised and performed by any consuls or other officers appointed by the said company, or which such consuls or other officers lawfully exercised and performed under and by virtue of any power or authority whatever, shall, from and after the enrolment of such deed or instrument as aforesaid, be and become vested in, and shall be exercised and performed by such consuls and other officers respectively as H. M. may be pleased to appoint, for the protection of the trade of H. M.'s subjects in the ports and places respectively mentioned in the said letters patent and acts, or any or either of them, 6 *G. 4. c. 33. s. 4.*

6. It shall and may be lawful for the treasury, and they are hereby empowered and authorized to grant reasonable allowances and pensions to such of the officers and servants in *Eng.* of the said company, and to such other person or persons as, by reason of the dissolution of the said company, may lose and be deprived of their offices, employments, and pensions, and to charge the same upon the consolidated fund of the U. K.; and all such allowances and pensions to be so granted, shall be payable and paid quarterly at the receipt of the exchequer at *Westminster*, out of the said consolidated fund, free and clear of and from all taxes, charges, and deductions whatsoever; and the treasury shall yearly and every year before the 25th *March* in each year, if parliament be sitting, and in case parliament shall not be sitting, then within 20 days after the meeting of parliament then next following such 25th *March*, cause an account and estimate to be laid before parliament of the total amount of such allowances and pensions payable to such officers and servants in *Eng.* of the said company, and to such other persons as are hereinbefore mentioned, for one year ending 5th *Jan.* preceding every such 25th *March* respectively, 6 *G. 4. c. 33. s. 5.*

LONDON (*BREAD*).

An act to repeal the acts now in force relating to bread to be sold in the city of London and the liberties thereof, and within the weekly bills of mortality, and 10 miles of the *Royal Exchange*: and to provide other regulations for the making and sale of bread, and preventing the adulteration of meal, flour, and bread within the limits aforesaid, 5 *G. 4. c. cvi.* [This being a local, the title of it was deemed sufficient in this place.]

LONDON (*SEWERS*).

For altering and amending two acts passed in the 11th and 33rd years of His late Majesty King *George the Third*, [viz. 11 *G. 3. c. 29.* and 33 *G. 3. c. 75.*] for consolidating, extending, and rendering more effectual the powers granted by several acts of parliament for making, enlarging, amending, and cleansing the vaults, drains, and sewers within the city of *London* and liberties thereof, and for paving, cleansing, and lighting the streets, lanes, squares, yards, courts, alleys, passages, and places, and preventing and removing obstructions and annoyances within the same, 4 *G. 4. c. cxiv.* [This being a local act, it was thought the title would suffice in this place.]

MALICIOUS MISCHIEF.

1. For altering and amending several acts passed in the 1st and 9th years of the reign of King *George the First*, and in the 41st, 52nd, 56th, and 57th years of the reign of His late Majesty King *George the Third*, so far as the same relate to the recovery of damages committed by riotous and tumultuous assemblies and unlawful and malicious offenders, 3 *G. 4. c. 33.*

2. Whereas 27 *El. c. 13.* [Stat. Dig. tit. *HUE AND CRY*, pl. 11.] was passed, intituled, *An Act for the following of hue and cry*: and whereas by one other act, 1 *G. 1. c. 5. s. 6.* [Stat. Dig. tit. *RIOT*, pl. 24.] intituled, *An Act for preventing tumults and riotous assemblies, and for the more speedy and effectual punishing the rioters*, it is enacted, that if any church, chapel, or any building for religious worship, certified and registered as therein directed, or any dwelling-house, barn, stable, or out-house, should be demolished or pulled down, wholly or in part, by any person or persons so unlawfully, riotously, and tumultuously assembled as therein described, such damages should be recovered from the inhabitants of the hundred in which such damages should have been done; and in case such damages should have been done in any city or town that is either a county of itself, or not within any hundred, then such damages should be recovered from the inhabitants of such city or town, by an action to be brought in any of H. M.'s courts of record at *Westminster*, by the person or persons so damnified, and the same were directed to be raised and levied in manner provided by the said recited act made in the 27th year of the reign of Queen *Elizabeth*: and whereas by 9 *G. 1. c. 22. s. 7.*, [Stat. Dig. tit. *RIOT*, pl. 34.] intituled, *An Act for the more effectual punishing wicked and evil-disposed persons going armed in disguise, and doing injuries and violence to the persons and properties of H. M.'s subjects, and for the more speedy bringing the offenders to justice*, it is enacted, that from and after the 1st *June* 1723,

the inhabitants of every hundred within that part of *G. B.* called *Eng.*, shall make full satisfaction and amends to all and every the person and persons, their executors and administrators, for the damages they shall have sustained or suffered by the killing or maiming of any cattle, cutting down or destroying any trees, or setting fire to any house, barn, or out-house, hovel, cock, mow, or stack of corn, straw, hay, or wood, which shall be committed or done by any offender or offenders against that act; and that every person and persons who should sustain damages by any of the offences last mentioned, were enabled to sue for and recover such his or their damages, the sum to be recovered not exceeding the sum of 200*l.*, against the inhabitants of the hundred; and if such person or persons should recover in such actions, the damages were directed to be levied and raised by such ways and means and in manner prescribed by the said recited act made in the 27th year of the reign of Queen *Elizabeth*: and whereas by 41 *G. 3. (U. K.) c. 24.* [Stat. Dig. tit. *MILLS*, pl. 6.] intituled, *An Act for the indemnifying of persons injured by the forcible pulling down and demolishing of mills, or of works thereunto belonging, by persons unlawfully and riotously assembled*, it is enacted, that if any wind saw-mill or other wind-mill, or any water-mill or other mill, or any of the works thereunto belonging, shall be demolished or pulled down, wholly or in part, by any persons unlawfully, riotously, and tumultuously assembled as therein described, then the damages sustained by the person or persons injured or damnified thereby, should be sued for, recovered, levied, raised, and reimbursed in such manner and form, and by such ways and means as are provided, directed, or referred to by the said act made in the first year of the reign of King *George the First*, in respect to the several descriptions of buildings therein mentioned: and whereas by 52 *G. 3. c. 130. s. 25.* [Stat. Dig. tit. *RIOT*, pl. 48.] intituled, *An Act for the more effectual punishment of persons destroying the properties of H. M.'s subjects, and enabling the owners of such properties to recover damages for the injury sustained*, it is enacted, that if any person or per-

sons unlawfully, riotously, and tumultuously assembled together, to the disturbance of the public peace, shall unlawfully and with force demolish or pull down, or begin to demolish or pull down any erection and building or engine which shall be used or employed in carrying on or conducting of any trade or manufactory, or any branch or department of any trade or manufactory of goods, wares, or merchandize of any kind or description whatsoever, or in which any goods, wares, or merchandize shall be warehoused or deposited, then that the person or persons injured or damnified thereby should recover the value of such erection, building, or engine, and of the machinery belonging thereto, so destroyed, or the damage done thereto, and such value and damage are directed to be recovered, levied, raised, and reimbursed in such manner and by such ways and means as are provided, directed, or referred to by the said act, made in the first year of the reign of King George the First, in respect to the several descriptions of buildings therein mentioned: and whereas by 56 G. 3. c. 125. [Stat. Dig. tit. MINES, pl. 27.] intituled, *An Act for the more effectual punishment of persons riotously destroying or damaging buildings, engines, and machinery used in and about collieries and other mines, waggon-ways, bridges, and other works used in conveying and shipping coals and other minerals, and for enabling the owners of such property to recover damages for the injury sustained*, it is enacted, that if any person or persons unlawfully, riotously, and tumultuously assembled together, in disturbance of the public peace, shall unlawfully and with force demolish, pull down, destroy or damage, or begin to demolish, pull down, destroy or damage, any fire-engine or other engine erected or to be erected for making, sinking, or working collieries, coal-mines, or other mines, or any bridge, waggon-way, or trunk erected or made, or to be erected or made for conveying coals or other minerals from any colliery, coal-mine, or other mine, to any place, or for shipping the same, or any staith or other erection or building for depositing coals or other minerals, or used in the management or conducting of the business of any such colliery, coal-mine, or other mine, whether the same engines, bridges, waggon-ways, trunks, staiths, erections, and other buildings or works shall be respectively completed and finished, or only begun to be set up, made, and erected, then that the person or persons injured or damnified thereby, shall be entitled to recover the value of the property so destroyed or damaged, and the amount of the damages done; and such value or damage is to be recovered, levied, raised, and reimbursed in such manner and form, and by such ways and means, as are provided, directed, or referred to in the said recited act, made in the first year of the reign of King George the First, in respect of the several descriptions of buildings therein mentioned: and whereas by 57 G. 3. c. 19. [Stat. Dig. tit. ASSEMBLIES, pl. 38.] intituled, *An Act for the more effectually preventing seditious meetings and assemblies*, it is (amongst other things) enacted, That in every case where any house, shop, or other building whatever, or any part thereof, shall be destroyed, or shall be in any manner damaged or injured, or where any fixtures thereto attached, or any furniture, goods, or commodities whatever, which shall be therein, shall be destroyed, taken away, or damaged, by the act or acts of any riotous or tumultuous assembly of persons, or by the act or acts of any person or persons engaged in or making part of such riotous or tumultuous assembly, the inhabitants of the city or town in which such house, shop, or building shall be situate, if such city or town shall be a county of itself, or is not within any hundred, or otherwise the inhabitants of the hundred in which such damage shall be done, shall be liable to yield full compensation in damages to the person or persons injured or damnified by such destruction, taking away, or damage, and such damages shall and may be demanded, sued for, and recovered by the same means and under the same provisions as are provided in and by the said recited act, passed in the first year of King George the First, with respect to persons injured or damnified by the demolishing or pulling down of any dwelling-house by persons unlawfully, riotously, and tumultuously assembled: and whereas great expences are incurred in recovering a compensation for small damages by proceeding under actions at law, in compliance with the directions of the said recited acts, the costs greatly exceeding, in many instances, the amount of the damages: and whereas for the relief of the inhabitants of the several cities, towns, cinque ports, ancient towns, corporate towns, hundreds, rapes, wapentakes, lathes, ridings, divisions, and liberties in which such mischief may be done by riotous and disorderly persons, or may be done unlawfully and maliciously, it will be attended with great public benefit, that the damages not exceeding a certain amount should be recovered by a shorter and more summary process than as directed by the said recited acts; be it therefore enacted, That from and after the passing of this act [24th May 1822], it shall not be lawful for any person or persons whomsoever in Eng., where the loss, injury, or damage claimed and alleged to have been sustained shall not exceed the sum of 30*l.*, to commence, bring, or prosecute any action or actions at law in any of H. M.'s courts of record, against the inhabitants of the city, town, cinque port, antient town, corporate town, or liberty of any cinque port, hundred, rape, wapentake, lathe, riding, division, or liberty, where such loss, injury, or damage shall have been

done or committed, as directed by the said recited acts respectively, for or on account of the loss, injury, or damage sustained by the demolishing, pulling down, destroying, or damaging, wholly or in part, of any church, chapel, or any building for religious worship duly certified and registered, or any dwelling-house, barn, stable, or out-house, by any persons unlawfully, riotously, and tumultuously assembled; or for or on account of any loss, injury, or damage sustained by the demolishing or pulling down, wholly or in part, of any wind saw-mill or other wind-mill, or any water-mill, or other mill, or any of the works thereunto belonging, by any persons unlawfully, riotously, and tumultuously assembled; or for or on account of the loss, injury, or damage sustained by the unlawfully and with force demolishing, or pulling down, or beginning to demolish or pull down any erection and building or engine used or employed in carrying on or conducting of any trade or manufactory, or any branch or department of any trade or manufactory of goods, wares, or merchandizes of any kind or description whatsoever, in which any wares, goods, or merchandize shall be warehoused or deposited, by any person or persons unlawfully, riotously, and tumultuously assembled together, to the disturbance of the public peace; or for or on account of the loss, injury, or damage sustained by the unlawfully and with force demolishing, pulling down, destroying, or damaging any fire-engine or other engine erected or to be erected for the making, sinking, or working collieries, coal-mines, or other mines, or any bridge, waggon-way, or trunk erected or made, or to be erected or made, for conveying coals or other minerals from any colliery, coal-mine, or other mine, to any place, or for shipping the same, or any staith or other erection or building for depositing coals or other minerals, or used in the management or conducting of the business of any such colliery, coal mine, or other mine, by any person or persons unlawfully, riotously, and tumultuously assembled together, in disturbance of the public peace; or for or on account of any house, shop, or other building whatsoever, or any part thereof being destroyed or in any manner damaged or injured, or any fixtures thereto attached, or any furniture, goods, or commodities which shall be therein, being destroyed, taken away, or damaged, by the act or acts of any riotous or tumultuous assembly of persons, or by the act or acts of any person or persons engaged in or making part of such riotous or tumultuous assembly; or for or on account of the loss, injury, or damage sustained by the unlawfully or maliciously killing or maiming of any cattle, cutting down or destroying any trees, setting fire to any house, barn, or out-house, hovel, cock, mow or stack of corn, straw, hay or wood; or for or on account of the loss, injury, or damage sustained by the setting fire to or destroying any ricks, or thrashing machines, by the act or acts of any riotous or tumultuous assembly of persons; but that the amount of such damage or injury shall and may be recovered only by the ways and means herein-after directed, 5 G. 4. c. 53. s. 1.

3. In every case in Eng. where any house, shop, or other building whatever, or any part thereof, shall be destroyed, or shall be in any manner damaged or injured, or where any fixtures thereto attached, or any furniture, goods, or commodities whatsoever which shall be therein, shall be destroyed, taken away or damaged, or any church, chapel, or any building for religious worship, dwelling-house, barn, stable, or out-house, or any such wind saw-mill or other wind-mill, or any water-mill or other mill, or any of the works thereto belonging, or any such erection or building or engine, or any such fire-engine or other engine, erected or to be erected as aforesaid, or any such bridge, waggon-way, or trunk, or any such staith or other erection or building for depositing coals or other minerals as aforesaid, so pulled down, demolished, destroyed, or damaged, wholly or in part; or any such killing or maiming of any cattle, cutting down or destroying any trees, setting fire to any house, barn, or out-house, hovel, cock, mow, or stack of corn, straw, hay, or wood, done or committed, or setting fire to or destroying any ricks or thrashing machines; and where the loss, injury or damage claimed or alleged to have been sustained, shall not exceed in amount the sum of 30*l.*, it shall and may be lawful for the party or parties damnified or injured, and he, she, and they are hereby directed within one calendar month next after such damage or injury shall have been sustained, to give notice in writing in the form in the schedule hereunto annexed, to the high constable of the hundred, rape, wapentake, lathe, riding, division, or liberty, or to the mayor or other chief magistrate of such city, town, or place in which such loss, injury, or damage shall have been suffered or sustained, and where there is no high-constable, to the churchwardens or overseers, or to any two substantial householders not being interested, or left at their respective last or usual places of abode, of such riotous or tumultuous assembly having taken place, and the nature and amount of the loss, injury, or damage sustained, and of his, her, and their intention of calling upon the inhabitants of such city, town, cinque port, ancient town, corporate town, hundred, rape, wapentake, lathe, riding, division, or liberty, to make good such loss, injury, or damage; and the said high-constable, mayor, or other chief magistrate, churchwardens or overseers, or inhabitants, as the case may be, is and are forthwith to give notice in writing thereof to the magistrates residing in or acting for such city,

town, hundred, rape, wapentake, lathe, riding, division or liberty, who shall thereupon appoint a special petty session to be holden within 30 days next after the receipt of such notice, of all the magistrates residing in or acting for such city, town, cinque port, ancient town, corporate town, hundred, rape, wapentake, lathe, riding, division or liberty, to hear and determine of any complaint which may be then and there brought before them, for or on account of any such damage or injury having been sustained by or through the means aforesaid; and the party or parties so damnified and injured is and are hereby directed to give notice, or cause a notice in writing, in the form in the schedule hereunto annexed, to be placed on the church or chapel door, or most conspicuous place of the parish, township, or place in which such loss, injury, or damage shall have been sustained, on two successive *Sundays* next preceding the day of holding of such special petty session, of the intent and purpose for which such special petty session is to be held, 3 G. 4. c. 33. s. 2.

4. Provided, that in case the high-constable, mayor, or other chief magistrate, churchwardens, overseers, or substantial householders as aforesaid, shall neglect or refuse to give such notice as last herein-before directed and required, then it shall and may be lawful to and for the party or parties so damnified to sue such high-constable, mayor, or other chief magistrate, churchwardens, overseers, or substantial householders (as the case may be), for the amount of such damages, by action of debt or on the case, in any of H. M.'s courts of record at *Westminster*, wherein no essoign, protection, privilege, wager of law, or more than one imparlance shall be allowed, 3 G. 4. c. 33. s. 3.

5. It shall be lawful to and for the justices, or any two of them, at such special petty session, or any adjournment thereof, in *Eng.*, to hear and examine the party or parties aggrieved, and the churchwardens or overseers or inhabitants of the parish, township, or place, and his or their several witnesses, upon oath or affirmation (which oath or affirmation the said justices are hereby authorized and empowered to administer), touching or concerning such riotous and tumultuous assembly, and the damage thereby sustained; and thereupon the said justices, or any two of them, shall, if they find that the complainant or complainants hath or have suffered any loss, injury, or damage by the means aforesaid, make an order or adjudication of the sum or sums of money to be paid to the party or parties aggrieved, together with his, her, or their reasonable costs and charges, and also the costs and charges (if any) of the high-constable, churchwardens, overseers, or inhabitants, to be allowed by such justices, and to direct such sum or sums to be raised in the manner in which it is at present raised, or if not, to direct such order or orders to the treasurer of the county, city, town, hundred, rape, wapentake, lathe, riding, division, or liberty, or where there shall be no treasurer of any such city, town, hundred, rape, wapentake, lathe, riding, division or liberty, then to the treasurer of the county, who, on the receipt of such order or orders, is hereby authorized and required forthwith to pay such sum or sums of money as shall be therein respectively mentioned, to the party or parties to whom he shall be directed to pay the same, and such treasurer shall be allowed the same in passing his accounts; and the justices of the peace, at their then next general or quarter sessions of the peace to be holden for such county, or any adjournment thereof, shall order and direct such sum or sums of money as shall have been paid by such treasurer, under or by virtue of such order or orders, to be raised on the city, town, hundred, rape, wapentake, lathe, riding, division or liberty, in which such damage or injury shall have been sustained, over, above, and in addition to the county rate to be paid by such city, town, hundred, rape, wapentake, lathe, riding, division or liberty, in common with the rest of such county; or where any such city, town, cinque port, ancient town, corporate town, hundred, rape, wapentake, lathe, riding, division, or liberty, shall not be liable to contribute to the general rate for the county, then such sum or sums of money as shall have been paid by such treasurer, shall be raised by such ways and means and in the same manner as county rates are directed to be raised by the 12 G. 2. c. 29. [Stat. Dig. tit. COUNTY RATE, pl. 1.] intituled, *An Act for the more easy assessing, collecting, and levying county rates*, and shall be forthwith repaid to such treasurer, 3 G. 4. c. 33. s. 4.

6. It shall be lawful to and for any justice or justices of the peace in *Eng.*, at any time or times, to issue a summons under his or their hand and seal, or hands and seals, to any person or persons whomsoever, to attend as a witness or witnesses, and to give evidence, upon oath or affirmation, before such justices assembled at such special petty session, or any adjournment thereof, touching any matter of fact contained in any information or complaint then and there made, whether on the behalf of the party aggrieved, or such churchwardens or overseers, or inhabitants as aforesaid; and which summons such justice or justices as aforesaid are hereby required to grant, if thereunto required; and if such person or persons so summoned as aforesaid, upon being paid or tendered such sum for his, her, or their costs and charges, trouble and attendance, as the said justice or justices shall think reasonable, shall

refuse or neglect to appear at the time and place to be for that purpose appointed, without such excuse for such his, her, or their refusal or neglect, as shall be approved by such justice or justices, or appearing shall refuse to be examined on oath or affirmation, or to give evidence before such justices, then and in every such case, every such person shall forfeit for every such offence any sum not exceeding 10*l.*, as in the discretion of such justices shall seem proper; which penalty shall be levied and recovered by distress and sale of the offender's goods and chattels, by warrant under the hand and seal of any justice of the peace, acting in and for such city, town, cinque port, ancient town, corporate town, hundred, rape, wapentake, lathe, riding, division or liberty; which warrant such justice is hereby empowered and required to grant, at the request of the party or parties aggrieved, or such churchwardens or overseers or inhabitants as aforesaid; and the penalty or forfeiture, when recovered, after rendering the overplus (if any) upon demand, to the party or parties whose goods and chattels shall be so distrained and sold, the charges of such distress and sale being first deducted, shall be paid to such churchwardens and overseers of the poor, or inhabitants, for the use and benefit of the poor of the parish, township, or place in which such damage or injury shall have been done; and in case sufficient distress shall not be found, or such penalty or forfeiture shall not be paid forthwith, it shall be lawful to and for such justice, and he is hereby authorized and required, by warrant under his hand and seal, to cause such offender or offenders to be committed to the common gaol or house of correction, there to remain without bail or mainprize for any time not exceeding three calendar months, unless such penalty and forfeiture, and all reasonable charges, shall be sooner fully paid and satisfied, 3 G. 4. c. 33. s. 5.

7. Provided, that in any action or actions hereafter to be brought in *Eng.* against the inhabitants of any city, town, cinque port, ancient town, corporate town, hundred, rape, wapentake, lathe, riding, division or liberty, under or by virtue of any or either of the before-recited acts of parliament, it shall be lawful for the defendants in such action or actions, by and with the consent and approbation of one or more of the justices of the peace acting in and for the parish, township, or place in which the damages shall be alleged by the plaintiffs in such actions to have been sustained, to suffer judgment to go by default, instead of appearing and defending the same, as directed by the said recited acts; but the plaintiffs in such actions shall nevertheless be required to produce the same proof before the sheriff or other officer taking the inquisition, in establishing his claim, as would be required if such actions had been defended; and that in taxing the costs, no more witnesses shall be allowed for, than the sheriff or other officer shall certify to have been necessary to the support of the plaintiff's case; any thing herein or in the said recited acts contained to the contrary thereof notwithstanding, 3 G. 4. c. 33. s. 6.

8. Provided, that if any person or persons in *Eng.* shall think himself, herself, or themselves aggrieved by any thing done in pursuance of this act, such person or persons may appeal to the justices of the peace at their then next general quarter session of the peace to be holden for such county, or at any adjournment thereof, the person or persons appealing having first given at least 10 days' notice in writing of such appeal, and of the nature and matter thereof, to the person or persons so appealed against, and within two days after such notice shall have been given having entered into a recognizance before some one justice for such city, town, hundred, rape, wapentake, lathe, riding, division, or liberty, with two sufficient sureties, conditioned to appear and try such appeal, and to abide the order of, and to pay such costs as shall be awarded by the justices at such general quarter session, or any adjournment thereof; and the said justices at such quarter session, upon due proof of such notice in writing being given as aforesaid, and of the entering into such recognizance, shall hear and finally determine the causes and matter of such appeal in a summary way, and award such costs to the party so appealing or appealed against, as they the said justices shall think proper; and the determination of such quarter session shall be final, binding, and conclusive to all intents and purposes, 3 G. 4. c. 33. s. 7.

9. Where any distress shall be made for any sum or sums of money to be levied by virtue of this act, the distress itself shall not be deemed unlawful, nor the party or parties making the same be deemed a trespasser or trespassers, on account of any defect or want of form in the summons, conviction, warrant of distress, or other proceedings relating thereto, nor shall the party or parties distraining be deemed a trespasser or trespassers *ab initio* on account of any irregularity which shall be afterwards done by the party or parties distraining, but the person or persons aggrieved by such irregularity shall and may recover full satisfaction for the special damages (if any) in an action upon the case; but no plaintiff or plaintiffs shall recover in any such action for such irregularity as aforesaid, if tender of sufficient amends hath been made for or on the behalf of the party distraining before such action brought, 3 G. 4. c. 33. s. 8.

10. All justices of the peace before whom any person shall be convicted of any offence against this act shall and may cause the conviction to be drawn up in the following form of words, or to the like effect :

City or county } ' Be it remembered, that on the — day of — in the — year
of — to wit. } of the reign of H. M. — A. B. is convicted before me C. D.
one of H. M.'s justices of the peace for the said [county, city, town, cinque
port, ancient town, corporate town, hundred, rape, wapentake, lathe, riding,
division, or liberty, as the case may be] by virtue of an act made in the 3rd year
of the reign of H. M. King George the Fourth, intituled [here set forth the
title of the act, and specify the offence, and the time and place when and where
the same was committed, as the case may be]. Given under my hand and seal,
the day and year aforesaid.'

3 G. 4. c. 33. s. 9.

11. And whereas it is provided by the said recited act, 1 G. 1. c. 5., that all prosecutions for repairing the damages of any church or chapel, or any building for religious worship, or any dwelling-house, barn, stable, or out-house, which shall be demolished or pulled down, in whole or in part, within Scot., by any persons unlawfully, riotously, or tumultuously assembled, should and might be by summary action at the instance of the party aggrieved, his or her heirs or executors, against the county, city, or burgh respectively; and it is expedient that the said provisions should be altered and amended, and farther provisions made for the relief of persons injured or damaged by any unlawful, riotous, or tumultuous assembly in Scot.; be it therefore enacted, That in every case where any damage or injury shall be done to any church, chapel, or building for religious worship, or to any house, shop, or other building whatsoever, or any fixtures attached thereto, or any furniture, goods, or commodities therein, by the act or acts of any unlawful, riotous, or tumultuous assembly of persons, or by the act or acts of any person or persons engaged in or making part of such unlawful, riotous, or tumultuous assembly, the party injured or damaged thereby shall be entitled to recover full compensation for the loss or injury, by summary action against the town-clerk of the city or burgh within which the loss or injury shall have been sustained, or the clerk of supply of the county or stewartry wherein the loss or injury shall have been sustained, if the same shall not have been within any city or burgh; which action shall and may be brought before the justices of the peace acting in execution of 39 & 40 G. 3. c. 46, intituled, *An Act for the more easy and expeditious recovery of small debts, and determining small causes in that part of G. B. called Scot.*, subject to all the provisions of the said act, where the sum claimed shall not exceed 5*l.*, and shall and may be brought before the judge ordinary where the amount claimed shall exceed that sum, 3 G. 4. c. 33. s. 10.

12. It shall be lawful for the pursuer of any such action in Scot., so soon as he or she shall have obtained a final decree therein, to lodge an extract thereof with the clerk of supply of the county or stewartry, or with the town clerk of the city or burgh, as the case may be, and the said clerk of supply, or town-clerk, shall intimate the same forthwith to the convener of the commissioners of supply, or acting chief magistrate respectively, and the said convener or acting chief magistrate is hereby authorized and required to summon a meeting of the commissioners of supply of the county or stewartry, or of the magistrates of the city or burgh, as the case may be, to be holden within six calendar months after receiving intimation as aforesaid, who are hereby authorized and required so to meet, and to make an assessment for the payment of every sum so decreed for, in manner following; that is to say, by the commissioners of supply so assembled, upon the land, according to the valued rent thereof, and upon the houses situated therein, not being within any city or burgh, according to the actual or real rent of such houses, to be paid by the occupiers of such land and houses respectively, so that for every shilling levied in respect of such valued rent, there shall be levied 1*d.* for and in respect of such actual rent of such houses; and in any city or burgh wherein any such assessment shall be required, the same shall be made by the magistrates so assembled upon the actual or real rent of houses within the same, to be paid by the occupier thereof, according to a *per-centage* to such amount as shall be necessary to pay every such sum so decreed for, 3 G. 4. c. 33. s. 11.

13. It shall be lawful for such magistrate and such commissioners of supply as aforesaid respectively, to add to the amount of every such assessment such sum of poundage as shall be usually paid at the time to the collector of the cess in such county or stewartry, or in such city or burgh, for and in respect of their respective collections; and every assessment so made shall be forthwith collected therefrom, and by means thereof every such claim of damage or injury, according to the amount thereof decerned for as aforesaid, shall be paid by the collector, as soon as conveniently may be, to the person or persons entitled thereto; and if any such assessment shall not be paid by any person liable therein within six days after the same shall have been demanded by such collector, the same shall and may be recovered by a poinding and sale of the goods and effects of the defaulter, upon the warrant of any two justices of the peace of the county or stewartry, or any two of the magistrates of the city or

burgh wherein the same may be, upon the oath of the collector, who is hereby authorized, upon such warrant, to cause so much of the goods and effects as may be necessary to be appraised and sold within 10 days after the date of every such warrant; and after paying the amount of such assessment, with the expences attending such poinding and sale, such collector shall account for the overplus, if any be, to the owner or owners of such goods or effects, 3 G. 4. c. 33. s. 12.

14. In case any clerk of supply, town-clerk, convener, chief magistrate, commissioners of supply, or magistrates, or any collector, shall omit or neglect to do what is herein required of such persons respectively, it shall be lawful for any party aggrieved to apply by summary complaint to the court of session, which court is hereby directed, in such case, to do therein as to such court shall seem just, 3 G. 4. c. 33. s. 13.

15. In the case of any such damage or injury done to any church, chapel, or building for religious worship, in Scot., every such compensation shall and may be recovered in the name of the clergyman or minister officiating therein, 3 G. 4. c. 33. s. 14.

16. Every action for any claim of damage under this act in Scot., shall be commenced within one calendar month after the damage shall have been done or injury suffered, otherwise the person claiming such damage shall not be entitled to relief under this act, 3 G. 4. c. 33. s. 15.

17. Nothing in this act contained shall extend or be construed to extend to that part of the U. K. called Ire., 3 G. 4. c. 33. s. 16.

SCHEDULES referred to 3 G. 3. c. 3.

SCHEDULE (A.) [See s. 2. pl. 3.]

Form of notice to the high-constable, mayor, or other chief magistrate, or principal inhabitant, churchwardens, overseers, or substantial householders, for summoning a petty sessions of magistrates.

To the high constable, &c. [as the case may be.]

City or county } ' I do hereby give you notice to summon a special session or
of — to wit. } petty session of the magistrates residing in or acting for [here
specify the city, hundred, or place, as the case may be], on or before [here
specify the time, the same to be within 30 days after the receipt of the notice],
for the purpose of hearing and determining the complaint which shall then
and there be brought before them, for or on account of the damages sustained
by me through or by means of [here state the means], on the — day of — last.
Given under my hand, this — day of — in the year —.

(Signed)

A. B.'

SCHEDULE (B.) [See s. 2. pl. 3.]

Form of notice to be placed on the church or chapel door, or other conspicuous part of the parish, township, or place [as the case may be].

City or county } ' I do hereby give notice that application will be made by
of — to wit. } me to the magistrates for the — at a special or petty session
to be holden for the purpose of hearing and determining the amount of the
damages or injury sustained by me by or through the means [state the means],
on the — day of —, in the parish, township, or place [as the case may be].
Given under my hand, this — day of —.

(Signed)

A. B.'

MAN (ISLE OF).

1. To empower the commissioners of H. M.'s treasury to purchase a certain annuity in respect of duties of customs levied in the *Isle of Man*, and any reserved sovereign rights in the said island, belonging to *John* duke of *Atholl*, 6 G. 4. c. 34.

2. Whereas it is expedient to make better provision for the collection, management, and future regulation of the revenues arising in the *Isle of Man*, so as to assimilate them as much as possible to those of the U. K.: and whereas it would be greatly conducive to that object, if certain rights, titles, and interests reserved to *John* duke of *Atholl*, and the heirs-general of the seventh earl of *Derby*, by 5 G. 3. c. 26. [Stat. Dig. this title, pl. 1.] and also the proportion of the revenues or annuity in lieu thereof, made payable to the same by 45 G. 4. c. 123. [Stat. Dig. this tit. pl. 2.], wherein it is recited, that as the revenues arising from the duties of customs of the said island, before the passing of the 5 G. 3. c. 26. belonged to the ancestors of the said *John* duke of *Atholl*, it is just and proper that the annual amount of the further compensation to be given should be regulated from time to time by the produce of the revenues of the said island, were redeemed, for the use of the public, by the purchase thereof at a fair valuation: be it therefore enacted, That it shall be lawful for the treasury of the U. K., on the behalf of H. M., and for the said *John* duke of *Atholl*, and for the heir-general for the time being of *James* the seventh earl of *Derby*, to treat, contract, and agree for the absolute purchase or sale, or release or surrender of all or any estate, right, title, or interest, which he the said *John* duke of *Atholl*, or the heir-general of the seventh earl of *Derby*, now hath or claims, or can or may have or claim, of, in, or to the said annuity, or any such reserved sovereign rights as aforesaid, as the treasury may deem it expedient for the public interest to purchase, and the said *John*

duke of *Atholl*, or his heirs, may be inclined to sell, release, or surrender, for such sum of money as shall be a just and fair equivalent for the same, to be settled and ascertained by any arbitrators chosen by the treasury, and the said *John* duke of *Atholl*, or the heir-general for the time being of the said seventh earl of *Derby* respectively, in that behalf; and that upon the execution of any such contract or agreement by or on behalf of the said *John* duke of *Atholl*, or the heir-general for the time being of the said *James* the seventh earl of *Derby*, or upon executing such other conveyances, assignments, releases, or surrenders, as in such contract shall be agreed on for that purpose, it shall and may be lawful to and for the treasury, and they are hereby empowered, by and out of any monies arising from the consolidated fund of the U. K., to order and direct the payment of such sum of money, from time to time, as shall be so ascertained and settled as aforesaid, as the amount to be paid for such purchase or purchases to the said *John* duke of *Atholl*, or the said heir-general for the time being of the said *James* the seventh earl of *Derby*, 6 G. 4. c. 54. s. 1.

3. For regulating the trade of the *Isle of Man*, 3 G. 4. c. 115. [This act recites the 6 G. 4. c. 105., which repealed all custom regulations affecting the *Isle of Man*, and then enacts new ones.]

MANSLAUGHTER.

1. For the further and more adequate punishment of persons convicted of manslaughter, 3 G. 4. c. 38. s. 1. [See s. 2. tit. SERVANTS, ss. 3, 4. tit. ACCESSORY, pl. 2, 3.]

2. Whereas the punishment of burning in the hand has long been deemed ineffectual and inexpedient, and the other punishments which may by law be inflicted upon persons convicted of the offence of manslaughter are frequently inadequate to the aggravated circumstances of such offence; it is enacted, That from and after the passing of this act [24th June 1822], whenever any person shall be lawfully convicted of the offence of manslaughter, such person shall not be liable to be burned or marked in the hand, or in any part thereof, but such person shall be liable to be transported beyond the seas for the term of his or her natural life, or for any term of years, as the court before which any such person shall be convicted shall adjudge; or shall be liable, in case the said court shall think fit, to be imprisoned only, or to be imprisoned and kept to hard labour, in the common gaol, house of correction, or penitentiary house, for any term not exceeding three years; or shall be liable to such a pecuniary fine, as to the said court, in its discretion, shall seem meet: and such fine or other punishment imposed by virtue of this act shall have the like effects and consequences to the party on whom such fine or other punishment shall be so imposed, with respect to any discharge from the same or other felonies, or any restitution to his or her estates, capacities and credits, as if he or she had continued liable to the former punishment of burning or marking in the hand, and had suffered such former punishment, 3 G. 4. c. 38. s. 1.

MANUFACTURES.

To prevent the inconveniences arising from the seducing artificers in the manufactures of G. B. into foreign parts, 5 G. 1. c. 27. AMD. 23 G. 2. c. 13. ss. 1, 2. [Stat. Dig. tit. MANUFACTURES, pl. 54.] REP. 5 G. 4. c. 97. See LABOURERS.

MARKETS AND FAIRS.

1. The clerk of the market shall carry with him all his weights and measures signed, 16 R. 2. c. 3. REP. 5 G. 4. c. 74. s. 23.

2. For the better ordering and regulating of the office of clerk of the market allowed and confirmed by this statute, 16 C. 1. c. 19. REP. 5 G. 4. c. 74. s. 25. See WEIGHTS, &c.

MARRIAGE.

(STATUTES repealed.)

1. For the better preventing clandestine marriages, 26 G. 2. c. 33. [Stat. Dig. this title, pl. 11—28.] AMD. and in part REP., 3 G. 4. c. 75., in part revived, 4 G. 4. c. 17., and finally REP. in toto, 4 G. 4. c. 76.

2. To regulate the celebration of marriages in *Newfoundland*, 57 G. 3. c. 51. [Stat. Dig. tit. MARRIAGE, pl. 36—41.] REP. 5 G. 4. c. 68. s. 1. See tit. NEWFOUNDLAND.

3. To repeal certain provisions of 3 G. 4. c. 75., intituled, *An Act to amend certain provisions of 26 G. 2. for the better preventing clandes-*

tine marriages, 4 G. 4. c. 17. [REP. except so far as it repeals any other act, 4 G. 4. c. 76. post, pl. 21.]

(STATUTES in force.)

4. To amend certain provisions of the 26 G. 2. for the better prevention of clandestine marriages, 3 G. 4. c. 75. [REP. as to ss. 8.—26. by 4 G. 4. c. 17.]

5. Whereas it is, amongst other things, provided by 26 G. 2. c. 33. s. 11. that all marriages solemnized by licence after the 26th March 1754, where either of the parties (not being a widower or a widow) shall be under the age of 21 years, which shall be had without the consent of the father of such of the parties so under age (if then living) first had and obtained, or if dead, of the guardian or guardians of the person of the party so under age, lawfully appointed, or one of them, and in case there shall be no such guardian or guardians, then of the mother (if living and unmarried), or if there shall be no mother living and unmarried, then of a guardian or guardians of the person appointed by the court of chancery, shall be absolutely null or void, to all intents and purposes whatsoever: and whereas great evils and injustice have arisen from such provisions; for remedy thereof, be it therefore enacted, That so much of the said statute as is therein-before recited, as far as the same relate to any marriage to be hereafter solemnized, shall be repealed, 3 G. 4. c. 75. s. 1.

6. And that in all cases of marriage had and solemnized by licence before the passing of this act [22d July 1822], without any such consent [as required by 26 G. 2. c. 33. s. 11.], and where the parties shall have continued to live together as husband and wife, till the death of one of them, or till the passing of this act, or shall only have discontinued their cohabitation for the purpose, or during the pending of any proceedings touching the validity of such marriage, such marriage, if not otherwise invalid, shall be deemed to be good and valid to all intents and purposes whatsoever, 3 G. 4. c. 75. s. 2.

7. Provided, that nothing in this act shall extend to render valid any marriage declared invalid by any court of competent jurisdiction, before the passing of this act, nor any marriage where either of the parties shall, at any time afterwards, during the life of the other party, have lawfully intermarried with any other person, 3 G. 4. c. 75. s. 3.

8. Provided, that nothing in this act shall be deemed to render any marriage valid, the invalidity of which has been established before the passing of this act, upon the trial of any issue touching its validity, or touching the legitimacy of any person alleged to be the descendant of the parties to such marriage, 3 G. 4. c. 75. s. 4.

9. Provided also, that nothing in this act shall be taken to render valid any marriage, the validity of which, or legitimacy of any person alleged to be the lawful descendant of the parties married, has been duly brought into question in proceedings in any causes or suits in law or equity in which judgments or decrees or orders of court have been pronounced or made, before the passing of this act, in consequence of, or from the effect of proof in evidence having been made in such causes or suits of the invalidity of such marriage, or the illegitimacy of such descendant, 3 G. 4. c. 75. s. 5.

10. Provided further, that if at any time before the passing of this act, any property, real or personal, has been in any manner possessed, or any title of honour has been in any manner enjoyed by any person whomsoever, upon the ground, or upon the pretence, or under the colour of the invalidity of any marriage, by reason that it was had and solemnized without such consent as aforesaid, then, although no sentence or judgment has been pronounced in any court against the validity of such marriage, the right and interest in such property or title of honour shall in no manner be affected or prejudiced by this act, but shall remain and be the same to all persons, and to all intents and purposes, as if this act had never been made, 3 G. 4. c. 75. s. 6.

11. Provided, that nothing in this act shall extend to affect or call in question any act done before the passing of this act, under the authority of any court, or in the administration of any personal estate or effects, or the execution of any will or testament, or the performance of any trust, 3 G. 4. c. 75. s. 7.

12. To render valid certain marriages, 4 G. 4. c. 5.

13. Whereas by 3 G. 4. c. 75. s. 14. the right of granting licences for the solemnization of marriages was confined to the archbishops of *Canterbury* and *York*, and the several other bishops within their respective dioceses, and whereas notwithstanding such enactments, licences for marriages have through error been granted by or in the name of bodies corporate, or persons, their officers or surrogates, other than the said archbishops or bishops, now be it enacted, That all and every marriages and marriage solemnized by virtue or in consequence of a licence granted after the passing of 3 G. 4. c. 75. [viz. 22d July 1822], and before the passing of this act [viz. 7th March 1823], by or in the name of a body corporate or person, his or their officer or surrogate, other than

the archbishops of *Canterbury* and *York*, according to the rights vested in them respectively, or the several other bishops within their respective dioceses, which body corporate or person, his or their officers and surrogates, before the passing of the said act, were or were deemed to be authorized by law to grant such licences, shall be as good and valid marriages to all intents and purposes whatsoever, as the same would have been if the said enactment restraining the power and authority of granting such licences had not been made, 4 G. 4. c. 5. s. 1.

14. Such bodies corporate and persons as aforesaid, their officers and surrogates, who have granted such licences as aforesaid since the passing of the said act, and their officers and others concerned therein, and such ministers, as have acted under the authority of the same, shall not be or be held to be liable to any pains or penalties or censures, for or on account of the granting or acting under the same, 4 G. 4. c. 5. s. 2.

15. To declare valid certain marriages that have been solemnized at *St. Petersburg* since the abolition of the *British* factory there, 4 G. 4. c. 67.

16. Whereas the *British* factory at *St. Petersburg* was by the manifesto of the Emperor of *Russia* declared to be abolished from and after the 20th *June*, 1807: and whereas divers marriages of subjects of this realm, resident at *St. Petersburg*, have, since the said 20th *June*, 1807, been solemnized there by the chaplain of the *Russia* company in the chapel of the said company, and in private houses, before witnesses, according to the religious ceremonies of the church of *Eng.*: and whereas it is expedient to declare the validity of such marriages, in order that no doubts or disquietude may hereafter arise thereupon: be it enacted, That all marriages (both or one of the parties thereto being subjects or a subject of this realm) that have, since the 20th *June* 1807, been solemnized, or that shall hereafter be solemnized at *St. Petersburg* by the chaplain to the *Russia* company, or by a minister of the church of *Eng.* officiating instead of such chaplain, in the chapel of the said *Russia* company, or in any other place, before witnesses, shall be as good and valid in law, and so deemed in the U. K. of *G. B.* and *Ire.*, and in the dominions thereunto belonging, as if the same had been solemnized before the abolition of the said factory, 4 G. 4. c. 67.

17. To relieve H. M.'s subjects from all doubt concerning the validity of certain marriages solemnized abroad, 4 G. 4. c. 91.

18. Whereas it is expedient to relieve the minds of all H. M.'s subjects from any doubt concerning the validity of marriages solemnized by a minister of the church of *Eng.* in the chapel or house of any *British* ambassador or minister residing within the country to the court of which he is accredited, or in the chapel belonging to any *British* factory abroad, or in the house of any *British* subject residing at such factory, as well as from any possibility of doubt concerning the validity of marriages solemnized within the *British* lines by any chaplain or officer, or other person officiating under the orders of the commanding officer of a *British* army serving abroad, it is declared and enacted, That all such marriages as aforesaid shall be deemed to be as valid in law as if the same had been solemnized within H. M.'s dominions, with a due observance of all forms required by law, 4 G. 4. c. 91. s. 1.

19. Provided, that nothing in this act contained shall confirm or impair, or anywise affect, or be construed to confirm or to impair, or anywise to affect, the validity in law of any marriages solemnized beyond the seas, except such as have been or shall be solemnized in the places, form, and manner herein specified and recited, 4 G. 4. c. 91. s. 2.

20. For amending the laws respecting the solemnization of marriages in *Eng.*, 4 G. 4. c. 76. [AMD. so as s. 13. by 5 G. 4. c. 32.]

21. Whereas it is expedient to amend the laws respecting the solemnization of marriages in *Eng.*; be it enacted, That from and after the 1st *Nov.* 1823, so much of 26 G. 2. c. 33. [Stat. Dig. this tit. pl. 11—28.] intituled, *An Act for the better preventing of clandestine marriages*, as was in force immediately before the passing of this act; and also 4 G. 4. c. 17. intituled, *An Act to repeal certain provisions of an act passed in the third year of His present Majesty, intituled, 'An Act to amend certain provisions of the 26th of George the Second, for the better preventing of clandestine marriages;'* shall be and the same are hereby repealed; save and except as to any acts, matters, or things done under the provisions of the said recited acts, or either of them, before the said 1st *Nov.*, as to which the said recited acts shall respectively be of the same force and effect as if this act had not been made; save also and except so far as the said recited acts, or either of them, repeal any former act, or any clause, matter, or thing therein contained, 4 G. 4. c. 76. s. 1.

22. From and after the 1st *Nov.* 1823, all banns of matrimony shall be published in an audible manner in the parish church, or in some public chapel, in which chapel banns of matrimony may now or may hereafter be lawfully published, of or belonging to such parish or chapelry wherein the persons to be married shall dwell, according to the

form of words prescribed by the rubrick prefixed to the office of matrimony in the book of common prayer, upon three *Sundays* preceding the solemnization of marriage, during the time of morning service, or of evening service (if there shall be no morning service in such church or chapel upon the *Sunday* upon which such banns shall be so published), immediately after the second lesson; and whensoever it shall happen that the persons to be married shall dwell in divers parishes or chapelries, the banns shall in like manner be published in the church or in any such chapel as aforesaid belonging to such parish or chapelry wherein each of the said persons shall dwell; and that all other the rules prescribed by the said rubrick concerning the publication of banns and the solemnization of matrimony, and not hereby altered, shall be duly observed; and that in all cases where banns shall have been published, the marriage shall be solemnized in one of the parish churches or chapels where such banns shall have been published, and in no other place whatsoever, 4 G. 4. c. 76. s. 2.

23. The bishop of the diocese, with the consent of the patron and the incumbent of the church of the parish in which any public chapel, having a chapelry thereunto annexed, may be situated, or of any chapel situated in an extra-parochial place, signified to him under their hands and seals respectively, may authorize, by writing under his hand and seal, the publication of banns and the solemnization of marriages in such chapel for persons residing within such chapelry or extra-parochial place respectively; and such consent, together with such written authority, shall be registered in the registry of the diocese, 4 G. 4. c. 76. s. 3.

24. Provided, that in every chapel in respect of which such authority shall be given as aforesaid, there shall be placed in some conspicuous part of the interior of such chapel a notice in the words following; "banns may be published and marriages solemnized in this chapel," 4 G. 4. c. 76. s. 4.

25. Provided, that all provisions now in force, or which may hereafter be established by law, relative to providing and keeping marriage registers in any parish churches, shall extend to any chapel in which the publication of banns and solemnization of marriages shall be so authorized as aforesaid, in the same manner as if the same were a parish church; and every thing required by law to be done relative thereto by the churchwardens of any parish church shall be done by the chapelwarden or other officer exercising analogous duties in such chapel, 4 G. 4. c. 76. s. 5.

26. On or before the said 1st *Nov.*, and from time to time afterwards as there shall be occasion, the churchwardens and chapelwardens of churches and chapels wherein marriages are solemnized, shall provide a proper book of substantial paper, marked and ruled respectively in manner directed for the register book of marriages; and the banns shall be published from the said register-book of banns by the officiating minister, and not from loose papers, and after publication shall be signed by the officiating minister, or by some person under his direction, 4 G. 4. c. 76. s. 6.

27. Provided, that no parson, vicar, minister, or curate shall be obliged to publish the banns of matrimony between any persons whatsoever, unless the persons to be married shall, seven days at the least before the time required for the first publication of such banns respectively, deliver or cause to be delivered to such parson, vicar, minister, or curate, a notice in writing, dated on the day on which the same shall be so delivered, of their true christian names and surnames, and of the house or houses of their respective abodes within such parish or chapelry as aforesaid, and of the time during which they have dwelt, inhabited, or lodged in such house or houses respectively, 4 G. 4. c. 76. s. 7.

28. Provided, that no parson, minister, vicar, or curate, solemnizing marriages after the 1st *Nov.* 1823, between persons both or one of whom shall be under the age of 21 years, after banns published, shall be punishable by ecclesiastical censures for solemnizing such marriages without consent of parents or guardians, unless such parson, minister, vicar, or curate shall have notice of the dissent of such parents or guardians; and in case such parents or guardians, or one of them, shall openly and publicly declare or cause to be declared, in the church or chapel where the banns shall be so published, at the time of such publication, his, her, or their dissent to such marriage, such publication of banns shall be absolutely void, 4 G. 4. c. 76. s. 8.

29. Whenever a marriage shall not be had within three months after the complete publication of banns, no minister shall proceed to the solemnization of the same until the banns shall have been republished on three several *Sundays*, in the form and manner prescribed in this act, unless by licence duly obtained according to the provisions of this act, 4 G. 4. c. 76. s. 9.

30. No licence of marriage shall, from and after the said 1st *Nov.* (1823,) be granted by any archbishop, bishop, or other ordinary or person having authority to grant such licences, to solemnize any marriage in any other church or chapel than in the parish church or in some public chapel of or belonging to the parish or chapelry within which the usual place of abode of one of the persons to be married shall have been for

the space of 15 days immediately before the granting of such licence, 4 G. 4. c. 76. s. 10.

31. If any caveat be entered against the grant of any licence for a marriage, such caveat being duly signed by or on the behalf of the person who enters the same, together with his place of residence and the ground of objection on which his caveat is founded, no licence shall issue till the said caveat, or a true copy thereof, be transmitted to the judge out of whose office the licence is to issue, and until the judge has certified to the register that he has examined into the matter of the caveat, and is satisfied that it ought not to obstruct the grant of the licence for the said marriage, or until the caveat be withdrawn by the party who entered the same, 4 G. 4. c. 76. s. 11.

32. Provided, that all parishes where there shall be no parish church or chapel belonging thereto, or none wherein divine service shall be usually solemnized every *Sunday*, and all extra-parochial places whatever, having no public chapel wherein banns may be lawfully published, shall be deemed and taken to belong to any parish or chapelry next adjoining, for the purposes of this act only; and where banns shall be published in any church or chapel of any parish or chapelry adjoining to any such parish or chapelry where there shall be no church or chapel, or none wherein divine service shall be solemnized as aforesaid, or to any extra-parochial place as aforesaid, the parson, vicar, minister, or curate publishing such banns shall, in writing, under his hand, certify the publication thereof in the same manner as if either of the persons to be married had dwelt in such adjoining parish or chapelry, 4 G. 4. c. 76. s. 12.

33. Provided, that if the church of any parish, or chapel of any chapelry, wherein marriages have been usually solemnized, be demolished in order to be rebuilt, or be under repair, and on such account be disused for public service, it shall be lawful for the banns to be proclaimed in a church or chapel of any adjoining parish or chapelry in which banns are usually proclaimed, or in any place within the limits of the parish or chapelry which shall be licensed by the bishop of the diocese for the performance of divine service during the repair or rebuilding of the church as aforesaid; and where no such place shall be so licensed, then, during such period as aforesaid, the marriage may be solemnized in the adjoining church or chapel wherein the banns have been proclaimed; and all marriages heretofore solemnized in other places within the said parishes or chapelries than the said churches or chapels, on account of their being under repair, or taken down in order to be rebuilt, shall not be liable to have their validity questioned on that account, nor shall the ministers who have so solemnized the same be liable to any ecclesiastical censure, or to any other proceeding or penalty whatsoever, 4 G. 4. c. 76. s. 13.

34. Whereas by 4 G. 4. c. 76., intituled, *An Act for amending the laws respecting the solemnization of marriages in Eng.*, it is provided, (by s. 13.) that if the church of any parish, or chapel of any chapelry, wherein marriages have been usually solemnized, be demolished in order to be rebuilt, or be under repair, and on such account be disused for public service, it shall be lawful for the banns to be proclaimed in a church or chapel of any adjoining parish or chapelry in which banns are usually proclaimed, or in any place within the limits of the parish or chapelry which shall be licensed by the bishop of the diocese for the performance of divine service during the repair or rebuilding of the church as aforesaid; but it is not provided that marriages may be solemnized in such places so licensed; and whereas it is further provided, that where no such place shall be so licensed, then during such period as aforesaid the marriage may be solemnized in the adjoining church or chapel wherein the banns have been proclaimed; but it is not provided that marriages may be solemnized by licence in such adjoining church or chapel as aforesaid: and whereas it is provided that all marriages theretofore, but it is not provided that marriages thereafter solemnized in other places within the said parishes or chapelries than the said churches or chapels, on account of their being under repair, or taken down in order to be rebuilt, shall not be liable to have their validity questioned on that account: and whereas it is provided, that the ministers who have so solemnized the same shall not be liable to any ecclesiastical censure, or to any other proceeding or penalty whatsoever; but it is not provided that the ministers who shall thereafter solemnize such marriages shall not be liable to such censure or other proceeding or penalty: and whereas it is expedient that marriages heretofore and hereafter solemnized in such place so licensed as aforesaid, during the repair or rebuilding of any church or chapel, or if no such place shall be so licensed, then in a church or chapel of some adjoining parish or chapelry, whether by banns lawfully proclaimed, or by licence lawfully granted, should not have their validity questioned on account of their being so solemnized: and whereas it is expedient that the ministers who shall have so solemnized the same should not be liable to any ecclesiastical censure, or to any other proceeding whatsoever: therefore be it enacted, That from and after the passing of this act [17th May 1824], all marriages which have been heretofore solemnized or which shall be hereafter solemnized in

any place within the limits of such parish or chapelry so licensed as aforesaid for the performance of divine service during the repair or rebuilding of the church of any parish, or chapel of any chapelry, wherein marriages have been usually solemnized, or if no such place shall be so licensed, then in a church or chapel of any adjoining parish or chapelry in which banns are usually proclaimed, whether by banns lawfully published in such church or chapel, or by licence lawfully granted, shall not have their validity questioned on account of their having been so solemnized; nor shall the ministers who have so solemnized the same be liable to any ecclesiastical censure, or to any other proceeding whatsoever, 5 G. 4. c. 32. s. 1.

35. And all licences granted by any archbishop, bishop, or other ordinary or person having authority to grant such licences for the solemnization of marriages in the church of any parish, or chapel of any chapelry wherein marriages have been usually solemnized, shall be deemed and taken to be licences for the solemnization of marriages in any place within the limits of such parish or chapelry which shall be licensed by the bishop of the diocese for the performance of divine service during the repair or rebuilding of any such church or chapel, or if no such place shall be so licensed, then in the church or chapel of any adjoining parish or chapelry wherein marriages have been usually solemnized, 5 G. 4. c. 32. s. 2.

36. All banns of marriage proclaimed, and all marriages solemnized according to the provisions of this act, in any place licensed as aforesaid, within the limits of any parish or chapelry, during the repair or rebuilding of the church or chapel of such parish or chapelry, shall be considered as proclaimed and solemnized in the church or chapel of such parish or chapelry, and shall be so registered accordingly, 5 G. 4. c. 32. s. 3.

37. For avoiding all fraud and collusion in obtaining of licences for marriage, before any such licence be granted, one of the parties shall personally swear before the surrogate or other person having authority to grant the same, that he or she believeth that there is no impediment of kindred or alliance, or of any other lawful cause, nor any suit commenced in any ecclesiastical court, to bar or hinder the proceeding of the said matrimony according to the tenor of the said licence; and that one of the said parties hath, for the space of 15 days immediately preceding such licence, had his or her usual place of abode within the parish or chapelry within which such marriage is to be solemnized; and where either of the parties, not being a widower or widow, shall be under the age of 21 years, that the consent of the person or persons whose consent to such marriage is required under the provisions of this act has been obtained thereto: provided, that if there shall be no such person or persons having authority to give such consent, then upon oath made to that effect by the party requiring such licence, it shall be lawful to grant such licence notwithstanding the want of any such consent, 4 G. 4. c. 76. s. 14.

38. Provided, that it shall not be required of any person applying for any such licence, to give any caution or security, by bond or otherwise, before such licence is granted; any thing in any act or canon to the contrary thereof notwithstanding, 4 G. 4. c. 76. s. 15.

39. The father, if living, of any party under 21 years of age, such parties not being a widower or widow; or if the father shall be dead, the guardian or guardians of the person of the party so under age, lawfully appointed, or one of them; and in case there shall be no such guardian or guardians, then the mother of such party, if unmarried; and if there shall be no mother unmarried, then the guardian or guardians of the person appointed by the court of chancery, if any, or one of them, shall have authority to give consent to the marriage of such party; and such consent is hereby required for the marriage of such party so under age, unless there shall be no person authorized to give such consent, 4 G. 4. c. 76. s. 16.

40. In case the father or fathers of the parties to be married, or of one of them, so under age as aforesaid, shall be *non compos mentis*, or the guardian or guardians, mother or mothers, or any of them whose consent is made necessary as aforesaid to the marriage of such party or parties, shall be *non compos mentis*, or in parts beyond the seas, or shall unreasonably or from undue motives refuse or withhold his, her, or their consent to a proper marriage, then it shall be lawful for any person desirous of marrying, in any of the before-mentioned cases, to apply by petition to the lord chancellor, lord keeper, or the lords commissioners of the great seal of G. B. for the time being, master of the rolls, or vice-chancellor of Eng., who is and are respectively hereby empowered to proceed upon such petition in a summary way: and in case the marriage proposed shall upon examination appear to be proper, the said lord chancellor, lord keeper, or lords commissioners of the great seal for the time being, master of the rolls, or vice-chancellor, shall judicially declare the same to be so; and such judicial declaration shall be deemed and taken to be as good and effectual, to all intents and purposes, as if the father, guardian or guardians, or mother of the person so petitioning had consented to such marriage, 4 G. 4. c. 76. s. 17.

41. Provided, that from and after the said first day of Nov. no surrogate hereafter to be deputed by any ecclesiastical judge who hath power to grant licences, shall grant any such licence until he hath taken an oath before the said judge, or before a commissioner appointed by commission under the seal of the said judge, which commission the said judge is hereby authorized to issue, faithfully to execute his office according to law, to the best of his knowledge, and hath given security by his bond in the sum of 100*l.* to the bishop of the diocese for the due and faithful execution of his said office, 4 G. 4. c. 76. s. 18.

42. Whenever a marriage shall not be had within three months after the grant of a licence by any archbishop, bishop, or any ordinary or person having authority to grant such licence, no minister shall proceed to the solemnization of such marriage until a new licence shall have been obtained, unless by banns duly published according to the provisions of this act, 4 G. 4. c. 76. s. 19.

43. Provided, that nothing herein-before contained shall be construed to extend to deprive the archbishop of *Canterbury* and his successors, and his and their proper officers, of the right which hath hitherto been used in virtue of 25 H. 8. c. 21. [*Stat. Dig. tit. DISPENSATION, pl. 7.*], intituled, *An Act concerning Peter-pence and dispensations*, of granting special licences to marry at any convenient time or place, 4 G. 4. c. 76. s. 20.

44. If any person shall, from and after the said first day of Nov., solemnize matrimony in any other place than a church or such public chapel wherein banns may be lawfully published, or at any other time than between the hours of 8 and 12 in the forenoon, unless by special licence from the archbishop of *Canterbury*, or shall solemnize matrimony without due publication of banns, unless licence of marriage be first had and obtained from some person or persons having authority to grant the same; or if any person, falsely pretending to be in holy orders, shall solemnize matrimony according to the rites of the church of *Eng.*; every person knowingly and wilfully so offending, and being lawfully convicted thereof, shall be deemed and adjudged to be guilty of felony, and shall be transported for the space of 14 years, according to the laws in force for transportation of felons: provided that all prosecutions for such felony shall be commenced within the space of three years after the offence committed, 4 G. 4. c. 76. s. 21.

45. Provided, that if any persons shall knowingly and wilfully intermarry in any other place than a church, or such public chapel wherein banns may be lawfully published, unless by special licence as aforesaid, or shall knowingly and wilfully intermarry without due publication of banns, or licence from a person or persons having authority to grant the same, first had and obtained, or shall knowingly and wilfully consent to or acquiesce in the solemnization of such marriage by any person not being in holy orders, the marriages of such persons shall be null, and void to all intents and purposes whatsoever, 4 G. 4. c. 76. s. 22.

46. If any valid marriage solemnized by licence shall, after the said first day of Nov. next, be procured by a party to such marriage to be solemnized between persons, one or both of whom shall be under the age of 21 years, not being a widower or widow, contrary to the provisions of this act, by means of such party falsely swearing as to any matter or matters to which such party is herein-before required personally to swear, such party wilfully and knowingly so swearing; or if any valid marriage by banns shall, after the said first day of Nov. next, be procured by a party thereto to be solemnized by banns between persons, one or both of whom shall be under the age of 21 years, not being a widower or widow, such party knowing that such person as aforesaid under the age of 21 years had a parent or guardian then living, and that such marriage was had without the consent of such parent or guardian, and knowing that banns had not been duly published according to the provisions of this act, and having knowingly caused or procured the undue publication of banns, then and in every such case it shall be lawful for H. M.'s attorney-general (or for H. M.'s solicitor-general, in case of the vacancy of the office of attorney-general), by information in the nature of an *English* bill in the court of chancery or court of exchequer, at the relation of a parent or guardian of the minor, whose consent has not been given to such marriage, and who shall be responsible for any costs incurred in such suit, such parent or guardian previously making oath as is herein-after required, to sue for a forfeiture of all estate, right, title, and interest in any property which hath accrued or shall accrue to the party so offending by force of such marriage; and such court shall have power in such suit to declare such forfeiture, and thereupon to order and direct that all such estate, right, title, and interest in any property as shall then have accrued, or shall thereafter accrue to such offending party, by force of such marriage, shall be secured under the direction of such court for the benefit of the innocent party, or of the issue of the marriage, or of any of them, in such manner as the said court shall think fit, for the purpose of preventing the offending party from deriving any interest in real or personal estate, or pecuniary benefits from such marriage; and if both the parties so contracting marriage shall, in the judgment of the court, be

guilty of any such offence as aforesaid, it shall be lawful for the said court to settle and secure such property, or any part thereof, immediately for the benefit of the issue of the marriage, subject to such provisions for the offending parties, by way of maintenance or otherwise, as the said court, under the particular circumstances of the case, shall think reasonable, regard being had to the benefit of the issue of the marriage during the lives of their parents, and of the issue of the parties respectively by any future marriage, or of the parties themselves, in case either of them shall survive the other: provided also, that no such information as aforesaid shall be filed, unless it shall be made out to the satisfaction of the attorney or solicitor-general before he files the same, by oath or oaths sworn before one of the masters in ordinary in chancery, or before one of the barons of the exchequer, and which they are hereby respectively empowered to administer, that the valid marriage to be complained of in such information hath been solemnized in such manner and under such circumstances, as in the judgment of the said attorney or solicitor-general are sufficient to authorize the filing the information under the provisions of this act, and that such marriage has been solemnized without the consent of the party or parties at whose relation such information is proposed to be filed, or of any other parent or guardian of the minor married, to the knowledge or belief of the relator or relators so making oath; and that such relator or relators had not known or discovered that such marriage had been solemnized more than three months previous to his or their application to the attorney or solicitor-general, 4 G. 4. c. 76. s. 23.

47. All agreements, settlements, and deeds, entered into or executed by the parties to any marriage, in consequence of or in relation to which marriage such information as aforesaid shall be filed, or by either of the said parties, before and in contemplation of such marriage, or after such marriage, for the benefit of the parties or either of them, or their issue, so far as the same shall be contrary to or inconsistent with the provisions of such security and settlement as shall be made by or under the direction of such court as aforesaid, under the authority of this act, shall be absolutely void, and have no force or effect, 4 G. 4. c. 76. s. 24.

48. Provided, that any original information to be filed for the purpose of obtaining a declaration of any such forfeiture as aforesaid, shall be filed within one year after the solemnization of the marriage by which such forfeiture shall have been incurred, and shall be prosecuted with due diligence; and in case any person or necessary party to any such information shall abscond, or be or continue out of *Eng.*, it shall be lawful for the court in which such information shall be filed to order such person to appear to such information, and answer the same, within such time as to such court shall seem fit; and to cause such order to be served on such person at any place out of *Eng.*, or to cause such order to be inserted in the *London Gazette*, and such other *British* or foreign newspapers as to such court shall seem proper; and in default of such person appearing and answering such information within the time to be limited as aforesaid, to order such information to be taken as confessed by such person, and to proceed to make such decree or order upon such information as such court might have made if such person had appeared to and answered such information: provided, that in case the person at whose relation any such suit shall have been instituted shall die pending such suit, it shall be lawful for the court of chancery, if such court shall see fit, to appoint a proper person or proper persons at whose relation such suit may be continued, 4 G. 4. c. 76. s. 25.

49. Provided, that after the solemnization of any marriage under a publication of banns, it shall not be necessary in support of such marriage to give any proof of the actual dwelling of the parties in the respective parishes or chapelries wherein the banns of matrimony were published; or where the marriage is by licence, it shall not be necessary to give any proof that the usual place of abode of one of the parties, for the space of 15 days as aforesaid, was in the parish or chapelry where the marriage was solemnized; nor shall any evidence in either of the said cases be received to prove the contrary in any suit touching the validity of such marriage, 4 G. 4. c. 76. s. 26.

50. In no case whatsoever shall any suit or proceedings be had in any ecclesiastical court, in order to compel a celebration of any marriage *in facie ecclesiæ*, by reason of any contract of matrimony whatsoever, whether *per verba de presenti*, or *per verba de futuro*, any law or usage to the contrary notwithstanding, 4 G. 4. c. 76. s. 27.

51. And, in order to preserve the evidence of marriages, and to make the proof thereof more certain and easy, and for the direction of ministers in the celebration of marriages and registering thereof, be it enacted, That from and after the 1st Nov. 1823, all marriages shall be solemnized in the presence of two or more credible witnesses, besides the minister who shall celebrate the same; and that immediately after the celebration of every marriage an entry thereof shall be made in the register-book provided and kept for that purpose as by law is now directed, or as shall be hereafter directed; in which entry or register it

shall be expressed that the said marriage was celebrated by banns or licence, and if both or either of the parties married by licence be under age, not being a widower or widow, with consent of the parents or guardians, as the case shall be; and such entry shall be signed by the minister with his proper addition, and also by the parties married, and attested by such two witnesses; which entry shall be made in the form or to the effect following; that is to say,

'A. B. of { the } parish, and C. D. of { the } parish, were married in this { church } by { banns, } with consent of { parents, } this — day of — in the year — { chapel } { licence, } { guardians, }

By me J. J. { rector. }
{ vicar. }
{ curate. }

This marriage was solemnized between us { A. B. }
{ C. D. }

In the presence of { E. F. }
{ G. H. }

4 G. 4. c. 76. s. 28.

52. If any person shall, from and after the said first day of Nov. 1823, with intent to elude the force of this act, knowingly and wilfully insert or cause to be inserted in the register-book of such parish or chapelry as aforesaid any false entry of any matter or thing relating to any marriage; or falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or act or assist in falsely making, altering, forging, or counterfeiting any such entry in such register; or falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or assist in falsely making, altering, forging, or counterfeiting any such licence of marriage as aforesaid; or utter or publish as true any such false, altered, forged, or counterfeited register as aforesaid, or a copy thereof, or any such false, altered, forged, or counterfeited licence of marriage, knowing such register or licence of marriage respectively to be false, altered, forged, or counterfeited; or if any person shall, from and after the said first day of Nov., wilfully destroy, or cause or procure to be destroyed any register-book of marriages, or any part of such register-book, with intent to avoid any marriage, or to subject any person to any of the penalties of this act; every person so offending, and being thereof lawfully convicted, shall be deemed and adjudged guilty of felony, and shall suffer the punishment of transportation for life, according to the laws in force for the transportation of felons, 4 G. 4. c. 76. s. 29.

53. Provided, that this act, or any thing therein contained, shall not extend to the marriages of any of the royal family, 4 G. 4. c. 76. s. 30.

54. Provided likewise, that nothing in this act contained shall extend to any marriages amongst the people called *Quakers*, or amongst the persons professing the *Jewish* religion, where both the parties to any such marriage shall be of the people called *Quakers*, or persons professing the *Jewish* religion respectively, 4 G. 4. c. 76. s. 31.

55. Two printed copies of this act shall, as soon as conveniently may be after the passing of this act, be provided by H. M.'s printer, and transmitted to the officiating ministers of the several parishes and chapelries in *Eng.* respectively; one of which copies shall be deposited and kept with the book containing the marriage register of such parish or chapelry, in the chest or box provided for the custody of the same, 4 G. 4. c. 76. s. 32.

56. This act shall extend only to that part of the U. K. called *Eng.*, 4 G. 4. c. 76. s. 33.

57. To render valid marriages solemnized in certain churches and public chapels in which banns have not usually been published, 6 G. 4. c. 92.

58. Whereas since the making of 26 G. 2. c. 33. [REP. 4 G. 4. c. 76. s. 1. ante, pl. 21.] intituled, *An Act for the better preventing clandestine marriages*, and since the making of 44 G. 3. c. 77. [Stat. Dig. this tit. pl. 33.] intituled, *An Act to render valid certain marriages solemnized in certain churches and public chapels in which banns had not usually been published, before or at the time of passing an act made in the 26th year of the reign of His late Majesty King George the Second, intituled 'An Act for better preventing clandestine marriages,'* divers churches and chapels have been erected and built within that part of *G. B.* called *Eng.*, *Wa.*, and the town of *Berwick-upon-Tweed*, which have been duly consecrated, and divers marriages have been solemnized therein since the passing of the said last-mentioned act; but by reason that in such churches and chapels banns of matrimony had not usually been published before or at the time of passing the said first-mentioned act, nor any authority obtained for solemnizing marriages therein under the provisions of 4 G. 4. c. 76., intituled, *An Act for amending the laws respecting the solemnization of marriages in Eng.*, such marriages have been or may be deemed to be void: be it enacted, That all marriages

already solemnized in any church or public chapel in that part of *G. B.* called *Eng.* and *Wa.*, and the town of *Berwick-upon-Tweed*, erected since the making of 26 G. 2. c. 33., and consecrated, shall be as good and valid in law as if such marriages had been solemnized in parish churches or public chapels having chapelries annexed, and wherein banns had usually been published, before or at the time of passing the said first-mentioned act, 6 G. 4. c. 92. s. 1.

59. It shall and may be lawful for marriages to be in future solemnized in all churches and chapels erected since the passing of 26 G. 2. c. 33., and consecrated, in which churches and chapels it has been customary and usual before the passing of this act to solemnize marriages; and all marriages herein-after solemnized therein shall be as good and valid in law as if such marriages had been solemnized in parish churches or public chapels having chapelries annexed, and wherein banns had usually been published before or at the time of passing the said act, 6 G. 4. c. 92. s. 2.

60. The registers of marriages solemnized, or to be solemnized, in the said churches or chapels, which are hereby enacted to be valid in law, or copies thereof, shall be received in all courts of law and equity as evidence of such marriages, in the same manner as the registers of marriages solemnized in parish churches or public chapels in which banns were usually published before or at the time of passing 26 G. 2. c. 33. or copies thereof, are received in evidence: provided nevertheless, that in all such courts the same objections shall be available to the receiving such registers or copies as evidence, as would have been available to receiving the same as evidence if such registers or copies had related to marriages solemnized in such last-mentioned parish churches or public chapels as aforesaid, 6 G. 4. c. 92. s. 3.

61. The registers of all marriages solemnized in any such public chapel where banns had not been usually published before or at the time of passing 26 G. 2. c. 33., which marriages are hereby enacted to be valid in law, shall, within three months after the passing of this act, be removed to the parish church of the parish in which such chapel shall be situated; and in case such chapel shall be situated in an extra-parochial place, then to the parish church next adjoining to such extra-parochial place, to be kept with the marriage registers of such parish, and in like manner as parish registers are directed to be kept by the said act of the 26th year of the reign of His said late Majesty King George the Second, 6 G. 4. c. 92. s. 4.

MILLS.

For indemnifying persons injured by the forcible pulling down and demolishing of mills, &c. 41 G. 3. (U. K.) c. 24. [Stat. Dig. this tit. pl. 6.] AMD. 3 G. 4. c. 33. See ante, MALICIOUS MISCHIEF.

MINES.

For the more effectual punishment of persons notoriously destroying or damaging buildings, engines, and machinery, used in and about collieries and other mines, &c. 56 G. 3. c. 125. [Stat. Dig. this tit. pl. 27.] AMD. 3 G. 4. c. 33. See ante, MALICIOUS MISCHIEF.

MORTGAGES.

1. To repeal an act of His present Majesty for explaining an act made in the 12th year of Queen *Anne*, to reduce the rate of interest without prejudice to parliamentary securities, and to substitute other provisions in lieu thereof, 3 G. 4. c. 47.

2. The 1 & 2 G. 4. c. 51. [Stat. Dig. this tit. pl. 13.] intituled, *An Act to explain an act made in the 14th year of His late Majesty King George the Third, for explaining an act made in the 12th year of Queen Anne, intituled, 'An Act to reduce the rate of interest without prejudice to parliamentary securities,'* is hereby repealed; except so far as regards any mortgage or securities executed before [24th June 1822,] the passing of this act, 3 G. 4. c. 47. s. 1.

3. All mortgages and securities which by any of H. M.'s subjects already have been, or after the passing of this act shall be made and executed in *G. B.* of or concerning any lands, tenements, or hereditaments, slaves, cattle, or other things, lying and being in *Ire.*, or in any of H. M.'s colonies, plantations, or dominions, in the *West Indies*, or any estate or interest therein to any of H. M.'s subjects, for securing the repayment of the sums of money thereon respectively, really, and *bonâ fide* advanced and lent, with interest for the same, whether payable in *G. B.* or in the country, island, plantation or place, where the lands, tenements, hereditaments, slaves, cattle, or other things mentioned and comprised in any such mortgage or security, severally lie or are; and

also all conveyances, demises, or other assurances of any lands, tenements, hereditaments, slaves, cattle, or other things lying and being in *Ire.*, or in any of H. M.'s colonies, plantations, or dominions in the *West Indies*, or any estate or interest therein; and all bonds and covenants which have been or which after the passing of this act, shall be respectively made, executed, or entered into in *G. B.*, to or with any of H. M.'s subjects, either by the person or persons borrowing such sum or sums of money, or by any other person or persons residing in *G. B.* or elsewhere, whether such conveyances, demises, or other assurances, bonds and covenants, shall be respectively made, executed, or entered into, by way of collateral security for the payment of such interest, or for securing the payment of interest on the sum or sums of money so really and *bonâ fide* advanced and lent at any higher rate than the rate of interest which such mortgages or other securities respectively, actually bear or carry, or shall bear or carry, or for securing any additional interest over and above the interest which such mortgages or other securities respectively actually bear or carry, or shall bear or carry, and whether such collateral or other securities for such interest, or higher rate of interest, or additional interest, in any of the cases aforesaid, have been or shall be respectively made, executed, or entered into, at the time, or respective times of making and executing such mortgages and other securities, for the sum or sums of money so really and *bonâ fide* advanced and lent, or at any time subsequent thereto; and whether the same have been or shall be respectively made, executed, or entered into, to or with the person or persons to whom such mortgages and securities have been or shall be originally made, or his, her, or their representatives or trustees, or to any person or persons to whom any transfers or assignments of any such mortgages or other securities have been or shall be made, or his, her, or their re-

presentatives or trustees; and all transfers and assignments which have been made, or which after the passing of this act shall be made and executed in *G. B.*, of such mortgages, securities, conveyances, demises, or other assurances, bonds, or covenants respectively as aforesaid, to any of H. M.'s subjects, shall be as good, valid, and effectual, to all intents and purposes whatsoever, as such mortgages, securities, conveyances, demises, or other assurances, bonds, covenants, transfers, or assignments respectively would have been, if the same had been respectively made, executed, or entered into, and the interest secured thereby respectively had been made payable, and the person or persons making, executing, or entering into such conveyances, demises, or other assurances, bonds, or covenants respectively, for securing such interest, or higher or additional interest as aforesaid, had resided in the country, island, plantation, or place where the lands, tenements, hereditaments, slaves, cattle, or other things mentioned and comprised in any such mortgage, security, conveyance, demise, or other assurance, transfer or assignment, severally lie or are; and that none of H. M.'s subjects in *G. B.* shall be subject or liable to any of the penalties or forfeitures in the 12 *Anne*, st. 2. c. 16., mentioned by receiving or taking, or having received or taken interest for the money really and *bonâ fide* advanced or lent, or to be advanced or lent on any such mortgage, security, conveyance, demise, or other assurance, bond, covenant, transfer, or assignment as aforesaid, so as the total amount of the interest so to be received or taken does not exceed the rate of interest allowed by the law of the country, island, plantation, or place, where the lands, tenements, hereditaments, slaves, cattle, or other things comprised in any such mortgage, security, conveyance, demise, or other assurance, transfer or assignment, severally lie or are, the 12 *Anne* st. 2. c. 16. notwithstanding, 3 *G. 4.* c. 47.

NATURALIZATION.

1. To alter and amend an act passed in the seventh year of the reign of H. M. King *James the First*, intituled, *An Act that all such as are to be naturalized or restored in blood shall first receive the sacrament of the Lord's Supper, and the oath of allegiance and the oath of supremacy*, 6 *G. 4.* c. 67.

2. Whereas 7 *J. 1.* c. 2. was passed [*Stat. Dig.* this tit. pl. 1, 2.] intituled, *An Act that all such as are to be naturalized or restored in blood shall first receive the sacrament of the Lord's Supper, and the oath of allegiance and the oath of supremacy*: and whereas it is expedient that the said recited act should be altered and amended; be it therefore enacted, That from and after the passing of this act [22d *June* 1825,], it shall not henceforth be necessary for any person who is to be naturalized or restored in blood to receive the sacrament of the Lord's Supper, as directed by the said act, 6 *G. 4.* c. 67. s. 1.

3. If it shall appear to the satisfaction of the house of parliament, in which a bill shall originate for restoring any person in blood, that the person intended by such bill to be so restored in blood is unable from sickness or bodily infirmity, or other sufficient cause, to take the oaths of supremacy and of allegiance in the parliament-house, before his or her bill shall be twice read, as directed by the said act, it shall and may be lawful for such house of parliament to receive in lieu thereof sufficient proof, before any such bill shall be twice read, that the said oaths have been taken within one year before a justice of the peace or mayor or other chief magistrate in any county or city or town in *G. B.* or *Ire.*, or before one of H. M.'s judges or justices in any of H. M.'s courts of judicature in the colonies or foreign possessions of H. M., 6 *G. 4.* c. 67. s. 2.

NAVIGATION.

(STATUTES repealed.)

1. For the encouragement of navigation and commerce by regulating the importation of goods and merchandize, so far as relates to countries or places from whence, and the ships in which, such importation shall be made, 3 *G. 4.* c. 45. [REP. 6 *G. 4.* c. 105. s. 358. See STATUTES.]

2. To amend an act of the last session of parliament, for regulating the trade between H. M.'s possessions in *America* and the *West Indies* and other parts of the world, 4 *G. 4.* c. 2.

3. An act for further regulating the trade of H. M.'s possessions in

America and the *West Indies*, and for the warehousing of goods therein, 6 *G. 4.* c. 75. [virtually REP. by 6 *G. 4.* cc. 109. 114.]

4. An act to extend to the island of *Mauritius* the duties and regulations which relate to the *British* islands in the *West Indies*, 6 *G. 4.* c. 76. [REP. virtually by 6 *G. 4.* c. 114. s. 44.]

(STATUTES in force.)

5. To repeal certain acts, and parts of acts, relating to the importation of goods and merchandize, 3 *G. 4.* c. 42.

6. Whereas 12 *C. 2.* c. 18. was passed, for the encouraging and increasing of shipping and navigation: and whereas by an act passed in the parliament of *Ire.*, in the 27th year of the reign of His late Majesty King *George the Third*, intituled, *An Act for the further increase and encouragement of shipping and navigation*, it was enacted, That the said recited act passed in *Eng.*, in the 12th year of the reign of King *Charles the Second*, and every provision therein contained (so far as the same are not altered or repealed by the said act of the parliament of *Ire.*), should be of full force and effect within *Ire.*: and whereas divers acts have been from time to time passed for the further regulation of shipping, navigation, and commerce; and it is expedient that certain of the provisions contained in the said several acts relating to the countries from whence, and the ships in which goods and merchandize shall be imported into any part of the U. K. of *G. B.* and *Ire.*, should be repealed, in order that other regulations relating to such importation may be declared, consolidated, and comprized in one act passed for that purpose: it is enacted,

12 *C. c. 18.* s. 3.

7. That from 24th *June* 1822, so much of the said recited act, 12 *C. 2.* c. 18. [viz. s. 3.], intituled, *An Act for the encouraging and increasing of shipping and navigation*, shall be repealed, whereby it is enacted, That no goods or commodities whatsoever, of the growth, production, or manufacture of *Asia*, *Africa*, or *America*, be imported into *Eng.*, *Ire.*, or *Wa.*, the islands of *Guernsey* or *Jersey*, or town of *Berwick-upon-Tweed*, in any other ship or ships, vessel or vessels whatsoever, but in such as do truly and without fraud belong only to the people of *Eng.* or *Ire.*, dominion of *Wa.*, or town of *Berwick-upon-Tweed*, or of the lands, islands, plantations, or territories in *Asia*, *Africa*, or *America*, to H. M. belonging, and whereof the master and three-fourths of the mariners at least are *English*, under the penalty in the said act mentioned, 3 *G. 4.* c. 42. s. 1.

12 C. 2. c. 18. s. 4.

8. From 24th June 1822, so much of the said recited act, 12 C. 2. c. 18. s. 4., shall be repealed, whereby it is enacted, that no goods or commodities that are of foreign growth, production, or manufacture, and which are to be brought into *Eng., Ire., Wa.*, the islands of *Guernsey* and *Jersey*, or town of *Berwick-upon-Tweed*, in *English*-built shipping, or other shipping belonging to some of the aforesaid places, and navigated by *English* mariners, shall be shipped or brought from any other place or places, country or countries, but only from those of the said growth, production, or manufacture, or from those ports where the said goods and commodities can only be or are or usually have been first shipped for transportation, and from none other places or countries, under the penalty in the said act mentioned, 3 G. 4. c. 42. s. 2.

12 C. 2. c. 18. s. 8.

9. From 24th June 1822, so much of the said recited act, 12 C. 2. c. 18. s. 8., shall be repealed, whereby it is enacted, that no goods or commodities of the growth, production, or manufacture of *Muscovy*, or of any of the countries, dominions, or territories of the great duke or emperor of *Muscovy* or *Russia* belonging, as also that no sort of masts, timber, or boards, no foreign salt, pitch, tar, rosin, hemp, or flax, raisins, figs, prunes, olive oils, no sorts of corn or grain, sugar, pot-ashes, wines, vinegar, or spirits called *aqua vitæ*, or brandy-wine, shall be imported into *Eng., Ire., Wa.*, or town of *Berwick-upon-Tweed*, in any ship or ships, vessel or vessels whatsoever, but in such as do truly and without fraud belong to the people thereof, or some of them, as the true owners or proprietors thereof, and whereof the master and three-fourths of the mariners at least are *English*; and that no currants nor commodities of the growth, production, or manufacture of any of the countries, islands, dominions, or territories to the *Ottoman* or *Turkish* empire belonging, shall be imported into any of the afore-mentioned places, in any ship or vessel but which is of *English*-built, and navigated as aforesaid, and no other, except only such foreign ships and vessels as are of the built of that country or place of which the said goods are the growth, production, or manufacture respectively, or of such port where the said goods can only be or most usually are first shipped for transportation, and whereof the master and three-fourths of the mariners at least are of the said country or place, under the penalty in the said act mentioned, 3 G. 4. c. 42. s. 3.

12 C. 2. c. 18. ss. 12. 14.

10. From 24th June 1822, so much and such parts of the said recited act, 12 C. 2. c. 18. [viz. ss. 12. 14.] shall be repealed, as relate to the importation of any of the commodities of the *Streights* or *Levant Seas*, or to the importation of all sorts of goods or commodities of the growth, production, or manufacture of the plantations or dominions of *Spain* or *Portugal* respectively, from any of the ports of *Spain* or *Portugal*, or *Western Islands*, commonly called *Azores*, or *Madeira* or *Canary Islands*, 3 G. 4. c. 42. s. 4.

27 G. 3. (*Irish Act.*) c. 23.

11. From 24th June 1822, so much of the herein-before recited act, passed in the parliament of *Ire.*, 27 G. 3. c. 23., intituled, *An Act for the further increase and encouragement of shipping and navigation*, whereby it is enacted, that the said act passed in the parliament of *Eng.* in the 12th year of the reign of King *Charles* the Second, for the encouraging and increasing of shipping and navigation, shall be of full force and effect in *Ire.*, shall be repealed, so far as relates to so much and such parts of the said act of the 12th year of the reign of King *Charles* the Second, as is and are herein-before recited and repealed; and that so much and such parts of the said recited act of the 12th year of the reign of King *Charles* the Second, as is or are repealed by this act, shall cease to be in force in *Ire.* after the passing of this act, 3 G. 4. c. 42. s. 5.

13 and 14 G. 2. c. 11. s. 23.

12. From 24th June 1822, so much of an act of 13 & 14 C. 2. c. 11. [viz. s. 23.], intituled, *An Act for preventing frauds and regulating abuses in H. M.'s customs*, shall be repealed, whereby it is enacted and declared, that no sort of wines (other than *Rhenish*), no sort of spicery, grocery, tobacco, pot-ashes, pitch, tar, salt, rosin, deal boards, fir timber, or olive oil, shall be imported from the *Netherlands* or *Germany*, upon any pretence whatsoever, in any sort of ships or vessels whatsoever, upon penalty of the loss of all the said goods, as also of the ships and furniture, 3 G. 4. c. 42. s. 6.

13 and 14 C. 2. c. 11. s. 6. in part.

13. From 24th June 1822, so much of the said recited act, 13 & 14 C. 2. c. 11. [viz. s. 6.], shall be repealed, whereby it is enacted, that no foreign-built ship shall enjoy the privilege of a ship belonging to *Eng.* or *Ire.*, although owned or manned by *English* (except such ships only as shall be taken at sea by letters of mart or reprisal, and condemnation made in the court of admiralty as lawful prize), but that all such ships shall be deemed as alien ships, 3 G. 4. c. 42. s. 7.

1 A. st. 1. c. 12. s. 112.

14. From 24th June 1822, so much of 1 A. st. i. c. 12. [s. 112.], intituled, *An Act for granting an aid to Her M. by divers subsidies, and a land-tax*, shall be repealed; whereby it is enacted, that it shall and may be lawful to import from *Hamburgh*, wines of the growth of *Hungary*, 3 G. 4. c. 42. s. 8.

6 A. c. 33.

15. From 24th June 1822, the act, 6 A. c. 33., intituled, *An Act for the importation of cochineal from any port in Spain, during the present war, and six months longer*; and which by 12 A. st. 1. c. 18. s. 3. was made perpetual, shall be repealed, 3 G. 4. c. 42. s. 9.

6 G. 1. c. 14.

16. From 24th June 1822, the 6 G. 1. c. 14., intituled, *An Act for prohibiting the importation of raw silk and mohair yarn, of the product or manufacture of Asia, from any ports or places in the Streights or Levant Seas, except such ports and places as are within the dominions of the Grand Signor*, shall be repealed, 3 G. 4. c. 42. s. 10.

6 G. 1. c. 15.

17. From 24th June 1822, the 6 G. 1. c. 15., intituled, *An Act to repeal so much of the act, intituled, 'An Act for preventing frauds and regulating abuses in H. M.'s customs,' passed in the 13th and 14th years of King Charles the Second, as relates to the prohibiting the importation of deal boards and fir timber from Germany*, shall be repealed, 3 G. 4. c. 42. s. 11.

13 G. 1. c. 25. and 7 G. 2. c. 18.

18. From 24th June 1822, the 13 G. 1. c. 25., intituled, *An Act for the free importation of cochineal, during the time therein limited*; and also the 7 G. 2. c. 18., for the revival of the 13 G. 1. c. 25., and also for the free importation of indigo; and which said last-recited act was, by 1 & 2 G. 4. c. 14. revived and continued until the 25th March 1824, shall be repealed, 3 G. 4. c. 42. s. 12.

6 G. 2. c. 7.

19. From 24th June 1822, the 6 G. 2. c. 7., intituled, *An Act for the free importation and exportation of diamonds, pearls, rubies, emeralds, and all other jewels, and precious stones*, shall be repealed, 3 G. 4. c. 42. s. 13.

14 G. 2. c. 36. and 23 G. 2. c. 34.

20. From 24th June 1822, the 14 G. 2. c. 36., intituled, *An Act for opening a trade to and from Persia, through Russia*; and also the 23 G. 2. c. 34., intituled, *An Act for permitting raw silk, of the growth or produce of Persia, purchased in Russia, to be imported into this kingdom from any port or place belonging to the empire of Russia*, shall be repealed, 3 G. 4. c. 42. s. 14.

25 G. 2. c. 32. s. 1.

21. From 24th June 1822, so much and such part of the 25 G. 2. c. 32. [s. 1.] for the purpose, among other things, of allowing the importation of gum senega from any part of *Europe*, shall be repealed; whereby it is enacted, that it shall be lawful for any of H. M.'s subjects to import gum senega in *British*-built ships, navigated according to law, from any port or place in *Europe*, 3 G. 4. c. 42. s. 15.

6 G. 3. c. 52. s. 20.

22. From 24th June 1822, so much and such part of the 6 G. 3. c. 52. [viz. s. 20.], intituled, *An Act for repealing certain duties in the British colonies and plantations, granted by several acts of parliament, and also the duties imposed by an act made in the last session of parliament, upon certain E. I. goods exported from G. B., and for granting other duties instead thereof; and for further encouraging, regulating, and securing several branches of the trade of this kingdom and the British dominions in America*, shall be repealed, whereby it is enacted, that it shall and may be lawful to and for any person or persons to import and bring into G. B. in *British*-built ships or vessels navigated according to law, from any port or place whatsoever, any sort of cotton-wool, 3 G. 4. c. 42. s. 16.

7 G. 3. c. 43. s. 2. in part.

23. From 24th June 1822, so much and such parts of 7 G. 3. c. 43. [viz. s. 2.], for amending and enforcing certain acts for the more effectual preventing the fraudulent importation and wearing of cambrics and *French* lawns, shall be repealed; whereby it is enacted, that no cambric or *French* lawn shall be allowed to be imported into the port of *London* from any parts beyond the seas, except in *British* ships navigated according to law, 3 G. 4. c. 42. s. 17.

15 G. 3. c. 35.

24. From 24th June 1822, the 15 G. 3. c. 35., intituled, *An Act to permit the free importation of raw goat-skins into this kingdom for a limited time, which was made perpetual*, 31 G. 3. c. 43. s. 7. shall be repealed, 3 G. 4. c. 42. s. 18.

25. From 24th June 1822, so much of 19 G.3. c.48. [viz. s.1.] made, among other things, for explaining so much of 12 C.2. c.18. as relates to the importation of goods and commodities of the growth or production of *Africa, Asia, or America*, manufactured in foreign parts, shall be repealed; whereby it is enacted, that the said act of the 12th year of the reign of King Charles the Second shall not extend or be construed to extend to permit any goods or commodities whatever of the growth or production of *Africa, Asia, or America*, which shall be in any degree manufactured in foreign parts, to be imported into G. B., except and unless the same shall be so manufactured in the country or place of which the goods and commodities are the growth and production, or in the place where such goods and commodities can only be or are at first shipped for transportation, 3 G.4. c.42. s.19.

26. From 24th June 1822, so much of 19 G.3. c.48. [viz. s.2.], shall be repealed; whereby or by construction whereof the importation of oil of cloves, oil of cinnamon, oil of mace, and oil of nutmegs, into G. B., is permitted, 3 G.4. c.42. s.20.

27. From 24th June 1822, the 22 G.3. c.78., intituled, *An Act to permit drugs the product of Hungary or Germany, to be imported from the Austrian Netherlands, or any part of Germany, upon payment of the single duty; to allow the importation of Hungary or German wines, and organzined thrown silk, from the Austrian Netherlands, or any part of Germany, into G. B.; and of timber and other goods from any part of Europe, in ships the property of subjects under the same sovereign as the country of which the goods are the growth, produce, or manufacture*, shall be repealed, except only so far as relates to organzined thrown silk, 3 G.4. c.42. s.21.

28. From 24th June 1822, so much of the 27 G.3. c.19. [viz. s.10.] intituled, *An Act to enforce and render more effectual several acts passed in the 12th year of the reign of King Charles the Second, and other acts made for the increase and encouragement of shipping and navigation*, shall be repealed; whereby it is enacted, that any of the goods or commodities enumerated or described in the said act of the 12th year of the reign of King Charles the Second, for encouraging and increasing of shipping and navigation, being the growth, production, or manufacture of *Europe*, may be imported under the conditions, rules, regulations, and restrictions contained in the said act of the 12th year of the reign of King Charles the Second, and also in certain other acts recited in the said act of 27 G.3. c.19., either in ships and vessels which, before the 1st May 1786, did truly and without fraud wholly belong to H. M.'s dominions, or which are of the built of H. M.'s dominions, and registered respectively according to law, or in ships or vessels, the built of any countries or places in *Europe*, belonging to or under the dominion of the sovereign or state in *Europe* of which the said goods or commodities so enumerated or described as aforesaid are the growth, production, or manufacture respectively, or of such ports where the said commodities can only be or are most usually first shipped for transportation, such ships or vessels being navigated with a master and three-fourths of the mariners at the least belonging to such countries or places or ports respectively, and in none other ships or vessels whatever, 3 G.4. c.42. s.22.

29. From 24th June 1822, so much of the 27 G.3. c.19. [viz. s.11.], shall be repealed; whereby it is enacted, that it shall and may be lawful for any person or persons whatever to import or bring from *Gibraltar*, in any ship or vessel which, before the 1st May 1786, did truly, without fraud, wholly belong to H. M.'s dominions, or are of the built of H. M.'s dominions, navigated and registered according to law, any goods, wares or merchandize, being of the growth or production of the dominions of the emperor of *Morocco*, and which shall have been imported into *Gibraltar* directly from any part of the said dominions not lying or being to the southward of the port of *Mogadore*, in ships or vessels belonging to or of the built of H. M.'s dominions, as before described, navigated and registered according to law, or in ships or vessels belonging to the subjects of the said emperor of *Morocco*, 3 G.4. c.42. s.25.

30. From 24th June 1822, so much of 30 G.3. c.40. [viz. s.4.], intituled, *An Act to explain and amend an act made in the last session of parliament, intituled, 'An Act for repealing the duties on tobacco and snuff, and for granting new duties in lieu thereof'*, shall be repealed; whereby it is enacted, that no tobacco (except tobacco of the growth, production, or manufacture of the plantations of *Spain and Portugal*, and also except snuff) shall be imported or brought from foreign parts, either

wholly or in part manufactured, or in any state or degree of manufacture, on pain of the forfeitures in the said act mentioned, 3 G.4. c.42. s.24.

31. From 24th June 1822, so much of an act, intituled, *An Act for allowing the importation of rape-seed or other seeds used for extracting oil, from any country whatsoever, whenever the price of British middling rape-seed shall be above a certain limit*, shall be repealed; whereby it is enacted or provided, that rape-seed, and all other seeds commonly made use of for the purpose of extracting oil therefrom, shall be imported in a *British-built ship*, owned and navigated according to law: provided always, that nothing herein contained shall extend to allow the importation of any rape-seed, or other such seed, in any ship whatsoever, whenever the prices of middling *British* rape-seed shall be below the price of 20*l.* per last, 3 G.4. c.42. s.25.

32. From 24th June 1822, so much and such part of 36 G.3. c.113., intituled, *An Act for allowing the importation of arrow-root from the British plantations, and also of linseed-cakes and rape-cakes from any foreign country, in British-built ships, owned, navigated, and registered according to law, without payment of duty*, shall be repealed; whereby it is enacted or provided, that linseed-cakes, or rape-cakes, shall be imported from any foreign country whatever, in any *British ship or vessel*, owned, navigated, and registered according to law, 3 G.4. c.42. s.26.

33. From 24th June 1822, so much of 5 G.3. c.30. [viz. ss.1, 2.] made, among other things, for more effectually supplying the export trade of this kingdom to *Africa* with such coarse printed calicoes and other goods of the product or manufacture of the *E. I.*, or other places beyond the *Cape of Good Hope*, as are prohibited to be worn and used in G. B., under or by virtue of which the commissioners of H. M.'s treasury are authorized to allow, by licence, certain goods in the said recited act mentioned to be imported into G. B., for the purpose of exportation to *Africa*, under the conditions and regulations therein stated, shall be repealed, 3 G.4. c.42. s.27.

34. From 24th June 1822, every clause, provision, and regulation, with respect to licences granted by the commissioners of customs for the importation of nutmegs, mace, cloves, and cinnamon, contained in 8 A. c.7. s.13., made, among other things, for granting to Her M. new duties of excise, and upon several imported commodities; or in 6 G.1. c.21. ss.45, 46., intituled, *An Act for preventing frauds and abuses in the public revenues of excise, customs, stamp-duties, post-office, and house money*; or in 8 G.1. c.18. s.21., made, among other things, for preventing clandestine running of goods, and the danger of infection thereby, shall be repealed, 3 G.4. c.42. s.28.

35. From 24th June 1822, so much and such part of the 43 G.3. c.68. [viz. s.29.], intituled, *An Act to repeal the duties of customs payable in G. B., and to grant other duties in lieu thereof*, shall be repealed; whereby it is enacted or provided, that tobacco of the growth or production of any of the territories or dominions belonging to the emperor of *Russia*, or of any of the territories or dominions belonging to the *Ottoman or Turkish* empire, shall be imported directly from the aforesaid territories or dominions respectively, in *British-built ships*, owned, navigated, and registered according to law, 3 G.4. c.42. s.29.

36. From 24th June 1822, so much and such parts of two acts, the one 55 G.3. c.29. [viz. ss.10, 11.], intituled, *An Act to regulate the trade between Malta and its dependencies, and H. M.'s colonies and plantations in America, and also between Malta and the U. K.*; and the other, 57 G.3. c.4., intituled, *An Act to extend the privileges of the trade of Malta to the port of Gibraltar*, shall be repealed; whereby it is enacted or provided, that goods, wares, or merchandize, being of the growth, produce, and manufacture of any country or place within the *Streights or Levant Seas*, or any raw silk or mohair yarn, being the growth or production of any place within the dominions of the Grand Seigneur, within the *Levant Seas*, shall be imported from the island of *Malta* or the dependencies thereof, or from the port of *Gibraltar*, in *British-built ships*, owned, registered, and navigated according to law, and in no other ship or vessel whatever, 3 G.4. c.42. s.30.

37. From 24th June 1822, the 16 G.3. c.37., intituled, *An Act to permit the importation of prunes the produce of Germany*, shall be repealed, 3 G.4. c.42. s.31.

59 G. 3. c. 74. s. 2.

38. From 24th June, 1822, so much and such parts of 59 G. 3. c. 74. (viz. s. 2.) intituled, *An Act to allow the importation of tobacco from the E. I. and other places, and for confining the exportation of tobacco from G. B. and the importation thereof into Ire., to vessels of seventy tons burthen and upwards*, shall be repealed; whereby it is enacted, that it shall be lawful for any person or persons to import unmanufactured tobacco from any place whatever, being the place of its growth, in any British ship or vessel, owned, registered, and navigated according to law, or in any ship or vessel of the built of the country or place of which such tobacco is the growth, and whereof the master and three-fourths of the mariners at least are of the said country or place, or in vessels which shall have been lawfully condemned as prize in such country or place, and which shall be navigated as aforesaid, 3 G. 4. c. 42. s. 32.

39. Provided, that nothing in this act shall extend to repeal or in any way affect any forfeiture, fine, pain, penalty or punishment, which may have been incurred for any offence against any of the acts hereby repealed, at any time before the passing of this act, and for or in respect of which any action, suit, indictment, information, or other proceeding may have been brought or prosecuted at any time before the passing of this act, 3 G. 4. c. 42. c. 33.

40. To regulate the trade between H. M.'s possessions in America and the West Indies, and other places in America and the West Indies, 3 G. 4. c. 44. [REP. except so far as it repeals any other act, 6 G. 4. c. 105. s. 359.]

41. Whereas divers acts of parliament have been from time to time passed, for regulating the importation and exportation of certain articles into and from certain territories, islands, and ports, under the dominion of H. M., in America and the West Indies; and it is expedient that the said several acts should be repealed, and other provisions made in lieu thereof: be it therefore enacted, That from and after the passing of this act,

28 G. 3. c. 6.

intituled, *An Act for regulating the trade between the subjects of H. M.'s colonies and plantations in North America, and in the West India islands, and the countries belonging to the United States of America, and between H. M.'s said subjects and the foreign islands in the West Indies*; also,

28 G. 3. c. 39.

intituled, *An Act to allow the importation of rum and other spirits from H. M.'s colonies or plantations in the West Indies, into the province of Quebec, without payment of duty, under certain conditions and restrictions*; also,

29 G. 3. c. 16.

intituled, *An Act to enable H. M. to authorize, in case of necessity, the importation of bread, flour, Indian corn, and live stock, from any of the territories belonging to the United States of America, in'o the province of Quebec, and all the countries bordering on the gulf of Saint Lawrence, and the islands within the said gulf, and to the coast of Labrador*; also,

29 G. 3. c. 56.

intituled, *An Act for explaining and amending an act passed in the last session of parliament, intituled 'An Act to regulate the trade between the subjects of H. M.'s colonies and plantations in North America, and in the West India islands, and the countries belonging to the United States of America, and between H. M.'s said subjects and the foreign islands in the West Indies'*; also,

30 G. 3. c. 8.

intituled, *An Act to amend two acts made in the 28th year of the reign of His present Majesty, the one intituled 'An Act for regulating the trade between the subjects of H. M.'s colonies and plantations in North America, and in the West India islands, and the countries belonging to the United States of America, and between H. M.'s said subjects and the foreign islands in the West Indies'; and the other intituled, 'An Act to allow the importation of rum or other spirits from H. M.'s colonies or plantations in the West Indies, into the province of Quebec, without payment of duty, under certain conditions and restrictions'*; also,

31 G. 3. c. 38.

intituled, *An Act to amend an act made in the 28th year of His present Majesty's reign, for regulating the trade between the subjects of H. M.'s colonies and plantations in North America, and in the West India islands, and the countries belonging to the United States of America, and between H. M.'s said subjects and the foreign islands in the West Indies; and also, an act made in the 27th year of His present Majesty's reign, for allowing the importation and exportation of certain goods, wares, and merchandize in the ports of Kingston, Savannah la Mar, Montego Bay,*

and Santa Lucia, in the island of Jamaica, in the port of Saint George in the island of Grenada, in the port of Rosea in the island of Dominica, and in the port of Nassau, in the island of New Providence, one of the Bahama Islands, under certain regulations and restrictions; also,

33 G. 3. c. 50.

intituled, *An Act to amend an act passed in the 27th year of His present Majesty's reign, for allowing the importation and exportation of certain goods, wares, and merchandize, in foreign ships, into and from certain ports and places in the West Indies; and for amending so much of an act made in the 32d year of the reign of His present Majesty, as relates to permitting the importation of sugar in the Bahama and Bermuda Islands, in foreign ships; and so much of two acts made in the 28th and 31st years of His present Majesty's reign as prohibits the importation of timber into any island under the dominion of H. M. in the West Indies, from any foreign colony or plantation in the West Indies, or South America; and so much of the said act made in the 28th year of His present Majesty's reign, as prohibits the importation of pitch, tar, and turpentine into Nova Scotia or New Brunswick, from any country belonging to the United States of America*; also,

44 G. 3. c. 101.

intituled, *An Act for permitting, until the first day of Aug. 1807, the exportation of salt from the port of Nassau, in the island of New Providence, the port of Exuma, and the port of Crooked Island, in the Bahama Islands, in ships belonging to the inhabitants of the United States of America, and coming in ballast*; also,

45 G. 3. c. 57.

intituled, *An Act to consolidate and extend the several laws now in force, for allowing the importation and exportation of certain goods and merchandize into and from certain ports in the West Indies*; also,

46 G. 3. c. 72.

intituled, *An Act for enabling H. M. to permit the importation and exportation of certain goods and commodities into and from the port of Road Harbour in the island of Tortola*; also,

48 G. 3. c. 125.

intituled, *An Act to permit the importation of rice, flour, and grain from any foreign colonies on the continent of America, into certain ports in the West Indies, and to allow certain articles to be imported from the United States of America into the British provinces in North America, for the purpose of exportation to the British islands in the West Indies*; also,

49 G. 3. c. 22.

intituled, *An Act for allowing the importation and exportation of certain goods and commodities into and from the port of Falmouth, in the island of Jamaica*; also,

52 G. 3. c. 79.

intituled, *An Act to allow British plantation sugar and coffee, imported into Bermuda, in British ships, to be exported to the territories of the United States of America in foreign ships or vessels, and to permit articles, the production of the said United States, to be imported into the said island in foreign ships or vessels*; also,

52 G. 3. c. 99.

intituled, *An Act for allowing certain articles to be imported into the Bahama Islands, and exported therefrom in foreign vessels, and for encouraging the exportation of salt from the said islands*; also,

53 G. 3. c. 37.

intituled, *An Act to amend an act of the 28th year of His present Majesty, for allowing the importation of rum or other spirits from H. M.'s colonies or plantations in the West Indies into the province of Quebec, without payment of duty*; also,

53 G. 3. c. 50.

intituled, *An Act for further allowing the importation and exportation of certain articles at the island of Bermuda*; also,

54 G. 3. c. 48.

intituled, *An Act to revive and make perpetual certain acts for consolidating and extending the several laws in force, for allowing the importation and exportation of certain articles into and from certain ports in the West Indies*; also,

57 G. 3. c. 28.

intituled, *An Act to extend the powers of two acts, for allowing British plantation sugar and coffee, and other articles, imported into Bermuda in British ships, to be exported to America in foreign vessels, and to permit articles, the produce of America, to be imported into the said islands in foreign ships, to certain other articles*; also,

57 G. 3. c. 74.

intituled, *An Act to extend several acts, for allowing the importation and*

exportation of certain goods and merchandize to Porta Maria in the island of Jamaica, and to the port of Bridge Town in the island of Barbadoes; also,

58 G. 3. c. 19.

intituled, *An Act to allow, for three years, and until six weeks after the commencement of the then next session of parliament, the importation, into ports specially appointed by H. M., within the provinces of Nova Scotia and New Brunswick, of the articles therein enumerated, and the re-exportation thereof from such ports; also,*

58 G. 3. c. 27.

intituled, *An Act to permit the importation of certain articles into H. M.'s colonies or plantations in the West Indies, or on the continent of South America, and also certain articles into certain ports in the West Indies; also,*

59 G. 3. c. 18.

intituled, *An Act to make perpetual an act of the 44th year of His present Majesty, for permitting the exportation of salt from the port of Nassau in the island of New Providence, the port of Exuma, and the port of Crooked Island, in the Bahama Islands, in American ships coming in ballast; also,*

59 G. 3. c. 55.

intituled, *An Act to extend the provisions of three acts of the 52d, 53rd, and 57th years of His present Majesty, for allowing British plantation sugar and coffee, and other articles, imported into Bermuda in British ships, to be exported to America in foreign vessels, and to permit articles, the produce of America, to be imported into Bermuda in foreign ships, to certain other articles; also,*

1 G. 4. c. 12.

intituled, *An Act to extend several acts for allowing the importation and exportation of certain goods and merchandizes to Morant Bay in the island of Jamaica; also,*

1 G. 4. c. 32.

intituled, *An Act to permit the importation of coffee from any foreign colony or plantation in America, into the port of Bridge Town in Barbadoes; also,*

1 and 2 G. 4. c. 7.

intituled, *An Act to make perpetual an act of the 58th year of His late Majesty, to allow the importation, into certain ports in Nova Scotia and New Brunswick, of certain enumerated articles, and the re-exportation thereof from such ports; shall be and the same are hereby repealed,* 3 G. 4. c. 44. s. 1.

42. To regulate the trade between H. M.'s possessions in America and the West Indies, and other parts of the world, 3 G. 4. c. 45. [REPE. except so far as it repeals any other act, 6 G. 4. c. 105. s. 360. See as to trade from places within E. I. C.'s charter, 4 G. 4. c. 80. s. 14.]

43. Whereas it is expedient to allow greater freedom of trade and intercourse between the colonies, plantations, and islands belonging to H. M. in America and in the West Indies, and other parts of the world; and to repeal certain acts now in force relating to the trade and intercourse hitherto allowed to be carried on between H. M.'s colonies, plantations, islands, and places in Europe south of Cape Finisterre, and to make further provision for encouraging and extending the same: be it therefore enacted, That so much of

25 C. 2. c. 7. s. 2.

intituled, *An Act for the encouragement of the Greenland and Eastland trades, and for the better securing the plantation trade, as imposes a duty upon the exportation of sugar, tobacco, cotton wool, indigo, ginger, logwood, fustic, dying wood, and cocoa nuts, from any of H. M.'s plantations in America, Asia, or Africa; also,*

51 G. 3. c. 97.

intituled, *An Act to regulate the trade between places in Europe south of Cape Finisterre, and certain ports in the British colonies in North America; also,*

52 G. 3. c. 98.

intituled, *An Act to permit sugar, coffee, and cocoa, to be exported from H. M.'s colonies and plantations to any port in Europe to the south of Cape Finisterre, and corn to be imported from any such port, and from the coast of Africa into the said colonies and plantations, under licences granted by the collectors and comptrollers of the customs; also, so much of*

55 G. 3. c. 29.

intituled, *An Act to regulate the trade between Malta and its dependencies and H. M.'s colonies and plantations in America, and also between Malta,*

and the U. K. as relates to the trade allowed to be carried on between the island of Malta and the dependencies thereof, and H. M.'s colonies and plantations in America; also,

57 G. 3. c. 4.

intituled, *An Act to extend the privileges of the trade of Malta to the port of Gibraltar; also,*

57 G. 3. c. 98.

intituled, *An Act to allow the importation of oranges and lemons from the Azores and the Madeiras into the British colonies in North America, shall be and the same are hereby repealed, save and except as to the recovery of any forfeiture or penalty incurred on or before the passing of this act: provided nevertheless, that all acts expressly repealed by any of the said acts shall be deemed and taken to be and shall remain repealed,* 3 G. 4. c. 45. s. 1.

44. For the encouragement of British shipping and navigation, 6 G. 4. c. 109.

45. Whereas 6 G. 4. c. 105. [post, tit. STATUTES], intituled, *An Act to repeal the several laws relating to the customs*, was passed, in which it is declared, that the laws of the customs have become intricate by reason of the great number of acts relating thereto which have been passed through a long series of years; and that it is therefore highly expedient for the interest of commerce and the ends of justice, and also for affording convenience and facility to all persons who may be subject to the operation of those laws, or who may be authorized to act in the execution thereof, that all the statutes now in force relating to the customs should be repealed, and that the purposes for which they have from time to time been made should be secured by new enactments, exhibiting more perspicuously and compendiously the various provisions contained in them: and whereas the laws relating to the encouragement of British navigation will thereby be repealed, and it is expedient to make provisions in lieu thereof, for the due encouragement of British shipping and British seamen, after such repeal shall have effect; be it therefore enacted, That from and after the 5th Jan. 1826, this act shall come into and be and continue in full force and operation, and shall constitute and be the law of navigation of the British empire, 6 G. 4. c. 109.

46. The several sorts of goods herein-after enumerated, being the produce of Europe; (that is to say,) masts, timber, boards, salt, pitch, tar, tallow, rosin, hemp, flax, currants, raisins, figs, prunes, olive oil, corn or grain, pot-ashes, wine, sugar, vinegar, brandy, and tobacco, shall not be imported into the U. K., to be used therein, except in British ships, or in ships of the country of which the goods are the produce, or in ships of the country from which the goods are imported, 6 G. 4. c. 109. s. 2.

47. Goods, the produce of Asia, Africa, or America, shall not be imported from Europe into the U. K., to be used therein, except the goods herein-after mentioned; (that is to say,)

Goods, the produce of places in Asia or Africa within the straits of Gibraltar, or of the dominions of the emperor of Morocco, imported from places in Europe within the straits of Gibraltar;

Goods, the produce of places within the limits of the E. I. C.'s charter, which (having been imported into Gibraltar or Malta in British ships,) may be imported from Gibraltar or Malta:

Goods taken by way of reprisal by British ships:

Bullion, diamonds, pearls, rubies, emeralds, and other jewels or precious stones, 6 G. 4. c. 109. s. 3.

48. Goods, the produce of Asia, Africa, or America, shall not be imported into the U. K., to be used therein, in foreign ships, unless they be the ships of the country in Asia, Africa, or America, of which the goods are the produce, and from which they are imported, except the goods herein-after mentioned; (that is to say,)

Goods, the produce of the dominions of the Grand Seigneur, in Asia or Africa, which may be imported from his dominions in Europe, in ships of his dominions:

Raw silk and mohair yarn, the produce of Asia, which may be imported from the dominions of the Grand Seigneur in the Levant seas, in ships of his dominions:

Bullion, 6 G. 4. c. 109. s. 4.

49. Provided, that all manufactured goods shall be deemed to be the produce of the country of which they are the manufacture, 6 G. 4. c. 109. s. 5.

50. No goods shall be imported into the U. K. from the islands of Guernsey, Jersey, Alderney, Sark, or Man, except in British ships, 6 G. 4. c. 109. s. 6. [See as to Isle of Man, 6 G. 4. c. 115.]

51. No goods shall be exported from the U. K. to any British possession in Asia, Africa, or America, nor to the islands of Guernsey, Jersey, Alderney, Sark, or Man, except in British ships, 6 G. 4. c. 109. s. 7.

52. No goods shall be carried coastwise, from one part of the U. K. to another, except in *British* ships, 6 G. 4. c. 109. s. 8.

53. No goods shall be carried from any of the islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to any other of such islands; nor from one part of any such islands to another part of the same island, except in *British* ships, 6 G. 4. c. 109. s. 9.

54. No goods shall be carried from any *British* possession in *Asia*, *Africa*, or *America*, to any other of such possessions, nor from one part of any of such possession to another part of the same, except in *British* ships, 6 G. 4. c. 109. s. 10. [See c. 114. *post*. this tit. pl. 67.]

55. No goods shall be imported into any *British* possession in *Asia*, *Africa*, or *America*, in any foreign ships, unless they be ships of the country of which the goods are the produce, and from which the goods are imported, 6 G. 4. c. 109. s. 11.

56. No ship shall be admitted to be a *British* ship unless duly registered and navigated as such; and every *British* registered ship (so long as the registry of such ship shall be in force, or the certificate of such registry retained for the use of such ship), shall be navigated during the whole of every voyage (whether in a cargo or in ballast), in every part of the world, by a master who is a *British* subject, and by a crew, whereof three-fourths at least are *British* seamen; and if such ship be employed in a coasting voyage from one part of the U. K. to another, or in a voyage between the U. K. and the islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or from one of the said islands to another of them, or from one part of either of them to another of the same, or be employed in fishing on the coasts of the U. K. or of any of the said islands, then the whole of the crew shall be *British* seamen, 6 G. 4. c. 109. s. 12.

57. Provided, that all *British*-built boats or vessels under 15 tons burthen, wholly owned and navigated by *British* subjects, although not registered as *British* ships, shall be admitted to be *British* vessels, in all navigation in the rivers and upon the coasts of the U. K. or of the *British* possessions abroad, and not proceeding over sea, except within the limits of the respective colonial governments within which the managing owners of such vessels respectively reside; and that all *British*-built boats or vessels wholly owned and navigated by *British* subjects, not exceeding the burthen of 50 tons, and not having a whole or a fixed deck, and being employed solely in fishing on the banks and shores of *Newfoundland*, and of the parts adjacent, or on the banks and shores of the provinces of *Canada*, *Nova Scotia*, or *New Brunswick*, adjacent to the gulf of *St. Lawrence*, or on the north of *Cape Canso*, or of the islands within the same, or in trading coastwise within the said limits, shall be admitted to be *British* boats or vessels, although not registered, so long as such boats or vessels shall be solely so employed, 6 G. 4. c. 109. s. 13.

58. Provided, that all ships built in the *British* settlements at *Honduras*, and owned and navigated as *British* ships, shall be entitled to the privileges of *British* registered ships in all direct trade between the U. K. and the said settlements; provided the master shall produce a certificate under the hand of the superintendent of those settlements, that satisfactory proof has been made before him that such ship (describing the same) was built in the said settlements, and is wholly owned by *British* subjects; provided also, that the time of the clearance of such ship from the said settlements for every voyage shall be endorsed upon such certificate by such superintendent, 6 G. 4. c. 109. s. 14.

59. No ship shall be admitted to be a ship of any particular country, unless she be of the built of such country; or have been made prize of war to such country; or have been forfeited to such country under any law of the same, made for the prevention of the slave trade, and condemned as such prize or forfeiture by a competent court of such country; or be *British*-built (not having been a prize of war from *British* subjects to any other foreign country; nor unless she be navigated by a master who is a subject of such foreign country, and by a crew of whom three-fourths at least are subjects of such country; nor unless she be wholly owned by subjects of such country usually residing therein, or under the dominion thereof: provided that the country of every ship shall be deemed to include all places which are under the same dominion as the place to which such ship belongs, 6 G. 4. c. 109. s. 15.

60. No person shall be qualified to be a master of a *British* ship, or to be a *British* seaman within the meaning of this act, except the natural-born subjects of H. M., or persons naturalized by any act of parliament, or made denizens by letters of denization; or except persons who have become *British* subjects by virtue of conquest or cession of some newly-acquired country, and who shall have taken the oath of allegiance to H. M., or the oath of fidelity required by the treaty or capitulation by which such newly-acquired country came into H. M.'s possession; or persons who shall have served on board any of H. M.'s ships of war in time of war for the space of three years: provided, that the natives of places within the limits of the *E. I. C.*'s charter, although

under *British* dominion, shall not, upon the ground of being such natives, be deemed to be *British* seamen: provided, that every ship (except ships required to be wholly navigated by *British* seamen) which shall be navigated by one *British* seaman, if a *British* ship, or one seaman of the country of such ship, if a foreign ship, for every 20 tons of the burthen of such ship, shall be deemed to be duly navigated, although the number of other seamen shall exceed one-fourth of the whole crew, 6 G. 4. c. 109. s. 16.

61. Provided, that it shall be lawful for H. M., by his royal proclamation during war, to declare that foreigners, having served two years on board any of H. M.'s ships of war in time of such war, shall be *British* seamen within the meaning of this act, 6 G. 4. c. 109. s. 17.

62. No *British* registered ship shall be suffered to depart any port in the U. K., or any *British* possession in any part of the world (whether with a cargo or in ballast), unless duly navigated: provided, that any *British* ships, trading between places in *America*, may be navigated by *British* negroes; and that ships trading eastward of the *Cape of Good Hope*, within the limits of the *E. I. C.*'s charter, may be navigated by *Lascars*, or other natives of countries within those limits, 6 G. 4. c. 109. s. 18.

63. If any *British* registered ship shall at any time have, as part of the crew in any part of the world, any foreign seaman not allowed by law, the master or owners of such ship shall for every such foreign seaman forfeit the sum of 10*l.*: provided, that if a due proportion of *British* seamen cannot be procured in any foreign port, or in any place within the limits of the *E. I. C.*'s charter, for the navigation of any *British* ship; or if such proportion be destroyed during the voyage by any unavoidable circumstance, and the master of such ship shall produce a certificate of such facts under the hand of any *British* consul, or of two known *British* merchants, if there be no consul at the place where such facts can be ascertained, or from the *British* governor of any place within the limits of the *E. I. C.*'s charter; or in the want of such certificate, shall make proof of the truth of such facts to the satisfaction of the collector and controller of the customs of any *British* port, or of any person authorized in any other part of the world to inquire into the navigation of such ship, the same shall be deemed to be duly navigated, 6 G. 4. c. 109. s. 19.

64. If H. M. shall, at any time by his royal proclamation, declare that the proportion of *British* seamen necessary to the due navigation of *British* ships shall be less than the proportion required by this act, every *British* ship navigated with the proportion of *British* seamen required by such proclamation shall be deemed to be duly navigated, so long as such proclamation shall remain in force, 6 G. 4. c. 109. s. 20.

65. Provided, that goods of any sort or the produce of any place, not otherwise prohibited than by the law of navigation herein-before contained, may be imported into the U. K. from any place in a *British* ship, and from any place not being a *British* possession in a foreign ship of any country, and however navigated, to be warehoused for exportation only, under the provisions of any law in force for the time being, made for the warehousing of goods without payment of duty upon the first entry thereof, 6 G. 4. c. 109. s. 21.

66. If any goods be imported, exported, or carried coastwise, contrary to the law of navigation herein-before contained, all such goods shall be forfeited, and the master of such ship shall forfeit the sum of 100*l.*, 6 G. 4. c. 109. s. 22.

67. To regulate the trade of the *British* possessions abroad, 6 G. 4. c. 114.

68. Whereas 6 G. 4. c. 105. [*post*, tit. STATUTES] reciting as in the preamble to 6 G. 4. c. 109. s. 1. [*ante*, pl. 45.]: be it therefore enacted, That from and after the 5th Jan. 1826, this act shall come into and be and continue in full force and operation, for the regulating of the trade of the *British* possessions abroad, 6 G. 4. c. 114. s. 1.

69. No goods shall be imported into, nor shall any goods, except the produce of the fisheries in *British* ships, be exported from, any of the *British* possessions in *America* by sea, from or to any place other than the U. K., or some other of such possessions, except into or from the several ports in such possessions, called "Free Ports," enumerated or described in the table following; (that is to say),

TABLE OF FREE PORTS.

Kingston, Savannah Le Mar, Montego Bay,	Jamaica.
Santa Lucia, Antonio, Saint Ann, Falmouth, Maria, Morant Bay, Annotto Bay	
Saint George	
Roseau	Grenada.
Saint John's	Dominica.
San Josef	Antigua.
Scarborough	Trinidad.
Road Harbour	Tobago.
Nassau	Tortola.
	New Providence.

Pitt's Town	-	-	-	-	Crooked Island.
Kingston	-	-	-	-	Saint Vincent.
Port Saint George and Port Hamilton	-	-	-	-	Bermuda.
Any Port where there is a Custom-house	-	-	-	-	Bahamas.
Bridgetown	-	-	-	-	Barbadoes.
Saint John's, Saint Andrew's	-	-	-	-	New Brunswick.
Halifax	-	-	-	-	Nova Scotia.
Quebec	-	-	-	-	Canada.
Saint John's	-	-	-	-	Newfoundland.
George Town	-	-	-	-	Demerara.
New Amsterdam	-	-	-	-	Berbice.
Castries	-	-	-	-	Saint Lucia.
Basseterre	-	-	-	-	Saint Kitt's.
Charles Town	-	-	-	-	Nevis.
Plymouth	-	-	-	-	Montserrat.

6 G. 4. c. 114. s. 2.

70. Provided always, that if H. M. shall deem it expedient to extend the provisions of this act to any port or ports not enumerated in the said table, it shall be lawful for H. M. by order in council to extend the provisions of this act to such port or ports; and from and after the day mentioned in such order in council, all the privileges and advantages of this act, and all the provisions, penalties, and forfeitures therein contained, shall extend and be deemed and construed to extend to any such port or ports respectively, as fully as if the same had been inserted and enumerated in the said table at the time of passing this act: provided also, that nothing herein-before contained shall extend to prohibit the exportation of the produce of the fisheries from any ports or places in any of the said possessions in *British* ships, nor to prohibit the importation or exportation of goods, into or from any ports or places in *Newfoundland* or *Labrador* in *British* ships, 6 G. 4. c. 114. s. 3.

71. And whereas by the law of navigation foreign ships are permitted to import into any of the *British* possessions abroad, from the countries to which they belong, goods the produce of those countries, and to export goods from such possessions to be carried to any foreign country whatever: and whereas it is expedient that such permission should be subject to certain conditions; be it therefore enacted, that the privileges thereby granted to foreign ships shall be limited to the ships of those countries which, having colonial possessions, shall grant the like privileges of trading with those possessions to *British* ships, or which, not having colonial possessions, shall place the commerce and navigation of this country, and of its possessions abroad, upon the footing of the most favoured nation, unless H. M. by his order in council shall in any case deem it expedient to grant the whole or any of such privileges to the ships of any foreign country, although the conditions aforesaid shall not in all respects be fulfilled by such foreign country, 6 G. 4. c. 114. s. 4.

72. Nothing contained in this act, or any other act passed in the present session of parliament, shall extend to repeal or in any way alter or affect 4 G. 4. c. 77. intituled, *An Act to authorize H. M., under certain circumstances, to regulate the duties and drawbacks on goods imported or exported in foreign vessels, and to exempt certain foreign vessels from pilotage*; nor to repeal or in any way alter or affect 5 G. 4. c. 1. [post, tit. SHIPPING.] among other things, to amend the last-mentioned act, and that all trade and intercourse between the *British* possessions and all foreign countries shall be subject to the powers granted to H. M. by those acts, 6 G. 4. c. 114. s. 5.

73. Provided, that until the expiration of 10 years, to be computed from the 24th June, 1822, every foreign ship which previous to that day had been engaged in trade between any of the *British* possessions in *America*, and other places in *America*, shall, for the purposes of this act, be deemed to be a ship of the country or place to which she had then belonged, if still belonging thereto; any thing in the law of navigation to the contrary notwithstanding, 6 G. 4. c. 114. s. 6.

74. The several sorts of goods enumerated or described in the table following, denominated "A Table of Prohibitions and Restrictions," are hereby prohibited to be imported or brought, either by sea or by inland carriage or navigation, into the *British* possessions in *America*, or into the island of *Mauritius*, or shall be so imported or brought, only under the restrictions mentioned in such table, according as the several sorts of such goods are set forth therein: (that is to say),

A TABLE OF PROHIBITIONS AND RESTRICTIONS.

Gunpowder,	} except into <i>Newfoundland</i> .
Arms,	
Ammunitions or utensils of war,	
Beef, fresh or salted,	
Pork,	
Prohibited to be imported, except from the U.K., or from some other <i>British</i> possession.	

Tea, Prohibited to be imported, except from the U. K., or from some other *British* possession in *America*, unless by the E. I. C., or with their licence.

Fish, dried or salted,
Train-oil, blubber, fins, or skins, the produce of creatures living in the sea,
Prohibited to be imported, except from the U. K., or from some other *British* possession, or unless taken by *British* ships fitted out from the U. K., or from from some *British* possession, and brought in from the fishery, and except herrings from the *Isle of Man*, taken and cured by the inhabitants thereof.

Coffee,
Cocoa Nuts,
Sugar,
Melasses,
Rum,
Being of foreign production, or the production of any place within the limits of the E. I. C.'s charter, except the island of *Mauritius*, prohibited to be imported into any of the *British* possessions on the continent of *South America* or in the *West Indies*, except the *Bahama* and *Bermuda* islands, or into the island of *Mauritius*, and may also be prohibited to be imported into the *Bahama* or the *Bermuda* islands by H. M.'s order in council.

Base or counterfeit coin.
Books, such as are prohibited to be imported into the U. K.
Prohibited to be imported.

75. And if any goods shall be imported or brought into any of the *British* possessions in *America*, or into the island of *Mauritius*, contrary to any of the prohibitions or restrictions mentioned in such table in respect of such goods, the same shall be forfeited, 6 G. 4. c. 114. s. 7.

76. All coffee, cocoa nuts, sugar, melasses, and rum (although the same may be of the *British* plantations) imported into any of the *British* possessions in *America*, into which the like goods of foreign production can be legally imported, shall upon subsequent importation from thence into any of the *British* possessions in *America*, into which such goods, being of foreign production, cannot be legally imported, or into the island of *Mauritius*, or into the U. K., be deemed to be of foreign production, and shall be liable, on such importation respectively, to the same duties or the same forfeitures, as articles of the like description, being of foreign production, would be liable to, unless the same shall have been warehoused under the provisions of this act, and exported from the warehouse direct to such other *British* possession, or to the island of *Mauritius*, or to the U. K., as the case may be, 6 G. 4. c. 114. s. 8.

77. There shall be raised, levied, collected, and paid unto H. M., the several duties of customs as the same are respectively set forth in figures in the table of duties herein-after contained, upon goods, wares, and merchandize imported or brought into any of H. M.'s possessions in *America*; (that is to say),

TABLE OF DUTIES.

DUTIES payable upon spirits, being of the growth, production, or manufacture of the U. K., or of any of the *British* possessions in *America* or the *West Indies*, imported into *Newfoundland* or *Canada*.

	DUTY.
Spirits; <i>videlicet</i> , —imported into <i>Newfoundland</i> ; <i>videlicet</i> , the produce of any of the <i>British</i> possessions in <i>South America</i> or the <i>West Indies</i> ; <i>videlicet</i> , imported from any of the <i>British</i> possessions in <i>South America</i> or the <i>West Indies</i> , the gallon, imported from the U. K., the gallon - imported from any other place, to be deemed foreign, and to be charged with duty as such.	£. s. d. 0 0 6 0 1 6
the produce of any <i>British</i> possession in <i>North America</i> , or of the U. K., and imported from the U. K., or from any <i>British</i> possession in <i>America</i> or the <i>West Indies</i> , the gallon - imported from any other place, to be deemed foreign, and to be charged with duty as such.	0 1 0
—imported into <i>Canada</i> ; <i>videlicet</i> , the produce of any <i>British</i> possession in <i>South America</i> or the <i>West Indies</i> , and imported from the U. K., the gallon - imported from any other place, to be deemed foreign, and be charged with duty as such.	0 0 6

DUTIES payable upon goods, wares, and merchandize, not being of the growth, production, or manufacture of the U. K., or of any of the *British* possessions in *America*, or in the island of *Mauritius*, by sea or by inland carriage or navigation.

	DUTY.		
	£	s.	d.
For every barrel of wheat-flour not weighing more than 196 lbs. net weight	0	5	0
For every hundred weight of biscuit or bread	0	1	6
For every barrel of flour or meal, not weighing more than 196 lbs. not made from wheat	0	2	6
For every bushel of wheat	0	1	0
For every bushel of pease, beans, rye, calavances, oats, barley, or <i>Indian</i> corn	0	0	7
Rice, for every 100 lbs. net weight	0	2	6
For every 1,000 shingles not more than 12 inches in length	0	7	0
For every 1,000 shingles being more than 12 inches in length	0	14	0
For every 1,000 red oak staves or headings	0	15	0
For every 1,000 white oak staves or headings	0	12	6
For every 1,000 feet of white, yellow, or pitch pine lumber of one inch thick	1	1	0
For every 1,000 feet of other kinds of wood and lumber	1	8	0
For every 1,000 wood hoops	0	5	3
Horses, mules, asses, neat cattle, and all other live stock, for every 100l. of the value	10	0	0

Spirits; <i>videlicet</i> ,			
Brandy, Geneva, or cordials, for every gallon	0	1	0
and further, the amount of any duty payable for the time being on spirits, the manufacture of the U. K.			
Wine imported in bottles, the tun, containing 252 gallons	7	7	0
and further, for every 100l. of the true and real value thereof	7	10	0
and for every dozen of foreign quart bottles, in which such wine may be imported	0	1	0
not in bottles, for every 100l. of the true and real value thereof	7	10	0
Coffee, for every cwt.	0	5	0
Cocoa, for every cwt.	0	5	0
Sugar, for every cwt.	0	5	0
Melasses, for every cwt.	0	3	0
Rum, for every gallon	0	0	6
and further the amount of any duty payable for the time being on coffee, cocoa, sugar, melasses, and rum respectively, being the produce of any of the <i>British</i> possessions in <i>South America</i> or the <i>West Indies</i> .			

Alabaster			
Anchovies			
Argol			
Anniseed			
Amber			
Almonds			
Brimstone			
Botargo			
Boxwood			
Currants			
Capers			
Cascasoo			
Cantharides			
Cummin-seed			
Coral			
Cork			
Cinnabar			
Dates			
Essence of bergamot			
of lemon			
of roses			
of citron			
of oranges			
of lavender			
of rosemary			
Emery-stone			
Flax			
Fruit; <i>viz.</i> ,			
dry, preserved in sugar			
wet, preserved in brandy			
Figs			
Gum Arabic			
Mastic			
Myrrh			
Sicily			
Ammoniac			
Hemp			
Honey			

For every 100l. of the true and real value thereof 7 10 0

Jalap			
Iron in bars unwrought, and pig iron			
Juniper berries			
Incense of frankincense			
Lava and <i>Malta</i> stone for building			
Lentils			
Manna			
Marble, rough and worked			
Mosaic work			
Medals			
Musk			
Maccaroni			
Nuts of all kinds			
Oil of olives			
almonds			
Opium			
Orris root			
Ostrich feathers			
Ochres			
Orange buds and peel			
Olives			
Pitch			
Pickles, in jars and bottles			
Paintings			
Pozzolana			
Pumice-stone			
Punk			
Parmesan cheese			
Pickles			
Prints			
Pearls			
Precious stones (except diamonds)			
Quicksilver			
Raisins			
Rhubarb			
Sausages			
Senna			
Scammony			
Sarsaparilla			
Saffron			
Safflower			
Sponges			
Tar			
Tow			
Turpentine			
Vermillion			
Vermicelli			
Whetstones			

For every 100l. of the true and real value thereof 7 10 0

Clocks and watches			
Leather manufactures			
Linen			
Musical instruments			
Wires of all sorts			
Books and papers			
Glass and manufactures			
Soap			
Refined sugar			
Sugar candy			
Tobacco manufactured			

For every 100l. of the true and real value thereof 20 0 0

For every 100l. of the true and real value thereof 20 0 0

Hay and straw			
Coin and bullion			
Diamonds			
Salt			
Fruit and vegetables, fresh			
Cotton wool			
Goods the produce of places within the limits of the <i>E. I. C.</i> 's charter			
Horses of persons travelling into or through the province of <i>Upper Canada</i> , and necessarily used in removing themselves, their families, and baggage			
Cord-wood for fuel, and saw logs brought into <i>Upper Canada</i>			
Herrings taken and cured by the inhabitants of the <i>Isle of Man</i> , and imported direct from thence			
Any sort of craft, food, and victuals, except spirits, and any sort of cloathing and implements, or materials fit and necessary for the <i>British</i> fisheries in <i>America</i> , imported into the place at or from whence such fishery is carried on, in <i>British</i> ships			
Rice and <i>Indian</i> corn, and lumber the produce of any <i>British</i> possession on the west coast of <i>Africa</i> , and imported direct from thence			

Duty-free.

		DUTY:		
		£	s.	d.
Goods, wares, or merchandize, not being enumerated or described, nor otherwise charged with duty by this act	For every 100 <i>l.</i> of the true and real value thereof	15	0	0

And if any of the goods herein-before mentioned shall be imported through the U. K., (having been warehoused therein, and exported from the warehouse, or the duties thereon, if then paid, having been drawn back), one tenth part of the duties herein imposed shall be remitted in respect of such goods; and if any of the goods herein-before mentioned shall be imported through the U. K. (not from the warehouse), but after all duties of importation for home use thereon shall have been paid thereon in the said U. K. and not drawn back, such goods shall be free of all duties herein imposed, 6 G. 4. c. 114. s. 9.

78. Nothing in this act or in any other act passed in the present session of parliament, shall extend to repeal or abrogate, or in any way to alter or affect 18 G. 3. c. 12. [Stat. Dig. tit. AMERICAN COLONIES, pl. 50.] intituled, *An Act for removing all doubts and apprehensions concerning taxation by the parliament of G. B., in any of the colonies, provinces, and plantations in North America and the West Indies, and for repealing so much of an act made in the 7th year of the reign of His present Majesty, as imposes a duty on tea imported from G. B. into any colony or plantation in America, as relates thereto*, nor to repeal or in any way alter or affect any act now in force, which was passed prior to the last-mentioned act, and by which any duties in any of the *British* possessions in *America* were granted, and still continue payable to the crown; nor to repeal, or in any way alter or affect 31 G. 3. c. 31. [Stat. Dig. tit. CANADA, pl. 1.] intituled, *An Act to repeal certain parts of an act passed in the 14th year of H. M.'s reign, intituled 'An Act for making more effectual provisions for the government of the province of Quebec in North America, and to make further provisions for the government of the said province'*, 6 G. 4. c. 114. s. 10.

79. The duties imposed by any of the acts herein-before mentioned or referred to, passed prior to the 18 G. 3. c. 12. shall be received, accounted for, and applied for the purposes of those acts: provided, that no greater proportion of the duties imposed by this act shall be charged upon any article which is subject also to duty under any of the said acts, or subject also to duty under any colonial law, than the amount, if any, by which the duty charged by this act shall exceed such other duty or duties: provided nevertheless, that the full amount of the duties mentioned in this act, whether on account of such former acts, or on account of such colonial law, or on account of this act, shall be levied and recovered and received under the regulations, and by the means and powers of this act, 6 G. 4. c. 114. s. 11.

80. All sums of money granted or imposed by this act, either as duties, penalties, or forfeitures, in the *British* possessions in *America*, shall be deemed and are hereby declared to be sterling money of G. B., and shall be collected, recovered, and paid to the amount of the value which such nominal sums bear in G. B.; and that such monies may be received and taken according to the proportion and value of 5*s.* 6*d.* the ounce in silver; and that all duties shall be paid and received in every part of the *British* possessions in *America*, according to *British* weights and measures in use at the time of passing of this act, [see *post*, tit. WEIGHTS, &c.] and that in all cases where such duties are imposed according to any specific quantity, or any specific value, the same shall be deemed to apply in the same proportion to any greater or less quantity or value; and that all such duties shall be under the management of the commissioners of the customs, 6 G. 4. c. 114. s. 12.

81. The produce of the duties so received by the means and powers of this act, except such duties as are payable to H. M. under any act passed prior to the 18 G. 3. c. 12. as aforesaid, shall be paid by the collector of the customs, into the hands of the treasurer or receiver-general of the colony, or other proper officer authorized to receive the same, in the colony in which the same shall be levied, to be applied to such uses as shall be directed by the local legislatures of such colonies respectively; and that the produce of such duties so received as aforesaid, in the colonies which have no local legislature, shall and may be applied in such manner as shall be directed by the commissioners of H. M.'s treasury, 6 G. 4. c. 114. s. 13.

82. There shall be allowed, upon the exportation from *Newfoundland* to *Canada* of rum or other spirits, being the produce of the *British* possessions in *South America* or the *West Indies*, a drawback of the full duties of customs which shall have been paid upon the importation thereof from any of the said places into *Newfoundland*, provided proof on oath be made to the satisfaction of the collector and controller of the customs at the port from whence such rum or other spirits shall be so exported, that the full duties on the importation of such rum or other spirits at the said port had been paid, and that a certificate be produced under the

hands and seals of the collector and controller of the customs at *Quebec*, that such rum or other spirits had been duly landed in *Canada*: provided, that no drawback shall be allowed upon any such rum or other spirits unless the same shall be shipped within one year from the day of the importation of the same, nor unless such drawback shall be duly claimed within one year from the day of such shipment, 6 G. 4. c. 114. s. 14.

83. The master of every ship arriving in any of the *British* possessions in *America*, or the island of *Mauritius*, or the islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, whether laden or in ballast, shall come directly, and before bulk be broken, to the custom-house for the port or district where he arrives, and there make a report upon oath in writing to the collector or controller, or other proper officer, of the arrival and voyage of such ship, stating her name, country, and tonnage, and if *British* the port of registry, the name and country of the master, the country of the owners, the number of the crew, and how many are of the country of such ship, and whether she be laden or in ballast, and if laden, the marks, numbers, and contents of every package and parcel of goods on board, and where the same was laden, and where and to whom consigned, and where any and what goods, if any, had been unladen during the voyage, as far as any of such particulars can be known to him; and the master shall further answer upon oath all such questions concerning the ship, and the cargo and the crew and the voyage, as shall be demanded of him by such officer; and if any goods be unladen from any ship before such report be made, or if the master fail to make such report, or make an untrue report, or do not truly answer the questions demanded of him, he shall forfeit the sum of 100*l.*; and if any goods be not reported, such goods shall be forfeited, 6 G. 4. c. 114. s. 15.

84. The master of every ship bound from any *British* possession in *America*, or the island of *Mauritius*, or the islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, shall, before any goods be laden therein, deliver to the collector or controller, or other proper officer, an entry outwards under his hand of the destination of such ship, stating her name, country, and tonnage, and if *British* the port of registry, the name and country of the master, the country of the owners, the number of the crew, and how many are of the country of such ship; and if any goods be laden on board any ship before such entry be made, the master of such ship shall forfeit the sum of 50*l.*; and before such ship depart, the master shall bring and deliver to the collector or controller, or other proper officer, a content in writing under his hand of the goods laden, and the names of the respective shippers and consignees of the goods, with the marks and numbers of the packages or parcels of the same, and shall make oath to the truth of such content as far as any of such particulars can be known to him; and the master of every ship bound from any *British* possession in *America* or from the island of *Mauritius*, or from the islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, (whether in ballast or laden), shall before departure come before the collector or controller, or other proper officer, and answer upon oath all such questions concerning the ship and the cargo, if any, and the crew and the voyage, as shall be demanded of him by such officer; and thereupon the collector and controller or other proper officer, if such ship be laden, shall make out and give to the master a certificate of the clearance of such ship for her intended voyage, containing an account of the total quantities of the several sorts of goods laden therein, or a certificate of her clearance in ballast, as the case may be; and if the ship shall depart without such clearance, or if the master shall deliver a false content, or shall not truly answer the questions demanded of him, he shall forfeit the sum of 100*l.*, 6 G. 4. c. 114. s. 16.

85. Provided, that whenever any ship shall be cleared out from any port in *Newfoundland* or in any other part of H. M.'s dominions, for the fisheries on the banks or coasts of *Newfoundland* or *Labrador*, [see *ante*, FISHERIES (*Newfoundland*),] or the dependencies thereof, without having on board any article of traffic (except only such provisions, nets, tackle, and other things as are usually employed in and about the said fishery, and for the conduct and carrying on of the same), the master of any such ship shall be entitled to demand, from the collector or other principal officer of the customs at such port, a certificate under his hand that such ship hath been specially cleared out for the *Newfoundland* fishery, and such certificate shall be in force for the fishing season of the year in which the same may be granted, and no longer; and upon the first arrival in any port in the said colony of *Newfoundland* or its dependencies, of any ship having on board any such certificate as aforesaid, a report thereof shall be made by the master of such ship to the principal officer of the customs at such port, and all ships having such certificate which has been so reported, and being actually engaged in the said fishery, or in carrying coastwise to be landed or put on board any other ships engaged in the said fishery, any fish, oil, salt, provisions or other necessaries for the use and purposes thereof, shall be exempt from all obligation to make any entry at or obtain any clearance from any custom-house at *Newfoundland*, upon arrival at or departure from any of the ports or harbours of the said colony or its dependencies during the con-

tinuance of the fishing season for which such certificate may have been granted; and previously to obtaining a clearance at the end of such season for any other voyage at any of such ports, the master of such ship shall deliver up the before-mentioned certificate to the principal officer of the customs of such port: provided, that in case any such ship shall have on board, during the time the same may be engaged in the said fishery, any goods or merchandizes whatsoever, other than fish, seals, oil made of fish or seals, salt, provisions, and other things, being the produce of or usually employed in the said fishery, such ship shall forfeit the said fishing certificate, and shall thenceforth become and be subject and liable to all such and the same rules, restrictions, and regulations as ships in general are subject or liable to, 6 G. 4. c. 114. s. 17.

86. No goods shall be laden, or water-borne, to be laden on board any ship, or unladen from any ship in any of the *British* possessions in *America*, or the island of *Mauritius*, or the islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, until due entry shall have been made of such goods, and warrant granted for the lading or unlading of the same; and that no goods shall be so laden or water-borne, or so unladen, except at some place at which an officer of the customs is appointed to attend the lading and unlading of goods, or at some place for which a sufferance shall be granted by the collector and controller for the lading and unlading of such goods; and that no goods shall be so laden or unladen except in the presence or with the permission in writing of the proper officer: provided, that it shall be lawful for the commissioners of H. M.'s customs to make and appoint such other regulations for the carrying coastwise of any goods, or for the removing of any goods for shipment, as to them shall appear expedient; and that all goods laden, water-borne, or unladen, contrary to the regulations of this act, or contrary to any regulations so made and appointed, shall be forfeited, 6 G. 4. c. 114. s. 18.

87. The person entering any such goods shall deliver to the collector or controller, or other proper officer, a bill of the entry thereof, fairly written in words at length, containing the name of the exporter or importer, and of the ship, and of the master, and of the place to or from which bound, and of the place within the port where the goods are to be laden or unladen, and the particulars of the quality and quantity of the goods, and the packages containing the same, and the marks and numbers on the packages, and such person shall at the same time pay down all duties due upon the goods, and the collector and controller, or other proper officer, shall thereupon grant their warrant for the lading or unlading of such goods, 6 G. 4. c. 114. s. 19.

88. If the importer of any goods shall declare upon oath before the collector or controller, or other proper officer, that he cannot, for want of full information, make perfect entry thereof, it shall be lawful for the collector and controller to receive an entry by bill of sight for the packages or parcels of such goods, by the best description which can be given, and to grant a warrant thereupon, in order that the same may be landed and secured to the satisfaction of the officer of the customs, and at the expence of the importer, and may be seen and examined by such importer, in the presence of the proper officers; and within three days after the goods shall have been so landed, the importer shall make a perfect entry thereof, and pay down all duties due thereon; and in default of such entry, such goods shall be taken to the King's warehouse, and if the importer shall not within one month after such landing, make perfect entry of such goods, and pay the duties due thereon, together with charges of removal and warehouse rent, such goods shall be sold for the payment thereof, and the overplus, if any, shall be paid to the proprietor of the goods, 6 G. 4. c. 114. s. 20.

89. In all cases where the duties imposed by this act upon the importation of articles into H. M.'s possessions in *America*, or the island of *Mauritius* are charged, not according to the weight, tale, gauge, or measure, but according to the value thereof, such value shall be ascertained by the declaration of the importer of such articles, or his known agent, in manner and form following; (that is to say),

'I A. B. do hereby declare, that the articles mentioned in the entry, and contained in the packages [here specifying the several packages, and describing the several marks and numbers, as the case may be] are of the value of —

Witness my hand the — day of —

A. B.

'The above declaration, signed the — day of — in the presence of C. D. collector, [or other principal officer.]'

Which declaration shall be written on the bill of entry of such articles, and shall be subscribed with the hand of the importer thereof, or his known agent, in the presence of the collector or other principal officer of the customs at the port of importation; provided that upon view and examination of such articles by the proper officer of the customs, it shall appear to him that the said articles are not valued according to the true price or value thereof, and according to the true intent and meaning of this act, then and in such case the importer, or his known agent, shall be required to declare on oath before the collector or controller what is the invoice price of such articles, and that he verily believes such invoice price is the current value of the articles at the place from whence

the said articles were imported; and such invoice price, with the addition of 10*l. per centum* thereon, shall be deemed to be the value of the articles, in lieu of the value so declared by the importer or his known agent, and upon which the duties imposed by this act shall be charged and paid: provided also, that if it shall appear to the collector and controller, or other proper officer, that such articles have been invoiced below the real and true value thereof, at the place from whence the same were imported, or if the invoice price is not known, the articles shall in such case be examined by two competent persons, to be nominated and appointed by the governor or commander-in-chief of the colony, plantation, or island into which the said articles are imported, and such person shall declare on oath before the collector or controller, or other proper officer, what is the true and real value of such articles in such colony, plantation, or island, and the value so declared on the oaths of such persons shall be deemed to be the true and real value of such articles, and upon which the duties imposed by this act shall be charged and paid, 6 G. 4. c. 114. s. 21.

90. If the importer of such articles shall refuse to pay the duties hereby imposed thereon, it shall and may be lawful for the collector or other chief officer of the customs where such articles shall be imported, and he is hereby respectively required to take and secure the same, with the casks or other package thereof, and to cause the same to be publicly sold within the space of 20 days at the most after such refusal made, and at such time and place as such officer shall, by four or more days' public notice, appoint for that purpose, which articles shall be sold to the best bidder; and the money arising from the sale thereof shall be applied in the first place in payment of the said duties, together with the charges that shall have been occasioned by the said sale, and the overplus, if any, shall be paid to such importer or proprietor, or any other person authorized to receive the same, 6 G. 4. c. 114. s. 22.

91. Every importer of any goods shall, within 20 days after the arrival of the importing ship, make due entry inwards of such goods, and land the same; and in default of such entry and landing, it shall be lawful for the officers of the customs to convey such goods to the King's warehouse; and if the duties due upon such goods be not paid within three months after such 20 days shall have expired, together with all charges of removal and warehouse rent, the same shall be sold, and the produce thereof shall be applied first to the payment of freight and charges, next of duties, and the overplus, if any, shall be paid to the proprietor of the goods, 6 G. 4. c. 114. s. 23.

92. No goods shall be imported into any *British* possession as being imported from the U. K., or from any other *British* possession (if any advantage attach to such distinction,) unless such goods appear upon the cockets or other proper documents for the same to have been duly cleared outwards at the port of exportation in the U. K., or in such other *British* possession, nor unless the ground upon which such advantage be claimed be stated in such cocket or document, 6 G. 4. c. 114. s. 24.

93. No entry, nor any warrant for the landing of any goods, or for the taking of any goods out of any warehouse, shall be deemed valid, unless the particulars of the goods and packages in such entry shall correspond with the particulars of the goods and packages purporting to be the same in the report of the ship, or in the certificate or other document, where any is required, by which the importation or entry of such goods is authorized, nor unless the goods shall have been properly described in such entry by the denominations, and with the characters and circumstances, according to which such goods are charged with duty, or may be imported; and any goods taken or delivered out of any ship or out of any warehouse by virtue of any entry or warrant not corresponding or agreeing in all such respects, or not properly describing the same, shall be deemed to be goods landed or taken without due entry thereof, and shall be forfeited, 6 G. 4. c. 114. s. 25.

94. Before any sugar, coffee, cocoa-nuts, spirits, or mahogany shall be shipped for exportation in any *British* possession in *America*, or in the island of *Mauritius*, as being the produce of such possession or of such island, the proprietor of the estate on which such goods were produced, or his known agent, shall make and sign an affidavit in writing before the collector or controller at the port of exportation, or before one of H. M.'s justices of the peace, or other officer duly authorized to administer such oath, residing in or near the place where such estate is situated, declaring that such goods are the produce of such estate; and such affidavit shall set forth the name of the estate, and the description and quantity of the goods, and the packages containing the same, with the marks and numbers thereon, and the name of the person to whose charge at the place of shipment they are to be sent; and if any justice of the peace, or other officer aforesaid, shall subscribe his name to any writing, purporting to be such affidavit, unless the person purporting to make such affidavit shall actually appear before him, and be sworn to the truth of the same, such justice of the peace or officer aforesaid shall forfeit and pay for any such offence the sum of 50*l.*; and the person entering and shipping such goods shall deliver such affidavit to the collector or

controller, or other proper officer, and shall make oath before him that the goods which are to be shipped by virtue of such entry are the same as are mentioned in such affidavit; and the master of the ship in which such goods shall be laden shall, before clearance, make oath before the collector or controller, that the goods shipped by virtue of such entry are the same as are mentioned and intended in such affidavit, to the best of his knowledge and belief; and thereupon the collector and controller, or other proper officer, shall sign and give to the master a certificate of production, stating that proof has been made, in manner required by law, that such goods (describing the same) are the produce of such *British* possession, or of such islands, and setting forth in such certificate the name of the exporter, and of the exporting ship, and of the master thereof, and the destination of the goods; and if any sugar, coffee, cocoa-nuts, or spirits be imported into any *British* possession in *America*, or into the island of *Mauritius*, as being the produce of some other such possession, or of such island, without such certificate of production, the same shall be forfeited; and if any mahogany be so imported, the same shall be deemed to be of foreign production, 6 G. 4. c. 114. s. 26.

95. Before any sugar, coffee, cocoa-nuts, spirits, or mahogany shall be shipped for exportation in any *British* possession in *America*, as being the produce of some other such possession, or of the island of *Mauritius*, or shall be so shipped in the said islands as being the produce of some *British* possession in *America*, the person exporting the same shall in the entry outwards state the place of the production, and refer to the entry inwards and landing of such goods, and shall make oath before the collector or controller to the identity of the same; and thereupon, if such goods shall have been duly imported with a certificate of production, within 12 months prior to the shipping for exportation, the collector and controller shall sign and give to the master a certificate of production founded upon and referring to the certificate of production under which such goods had been so imported, and containing the like particulars, together with the date of such importation, 6 G. 4. c. 114. s. 27.

96. And whereas it is expedient to make regulation respecting the inland trade of the *British* possessions in *America*; be it therefore enacted, That it shall be lawful to bring or import by land, or by inland navigation, into any of the *British* possessions in *America*, from any adjoining foreign country, any goods which might be lawfully imported by sea into such possession from such country, and so to bring or import such goods in the vessels, boats, or carriages of such country, as well as in *British* vessels, boats, or carriages, 6 G. 4. c. 114. s. 28.

97. No vessel or boat shall be admitted to be a *British* vessel or boat on any of the inland waters or lakes in *America*, except such as shall have been built at some place within the *British* dominions, and shall be wholly owned by *British* subjects, and shall not have been repaired at any foreign place to a greater extent than in the proportion of 10s. for every ton of such vessel or boat at any one time: provided, that nothing herein-before contained shall extend to prevent the employment of any vessel or boat as a *British* vessel or boat, on such inland waters or lakes which shall have wholly belonged to *British* subjects before the passing of this act, and which shall not be repaired as aforesaid in any foreign place after the passing of this act, 6 G. 4. c. 114. s. 29.

98. Provided, that it shall not be lawful so to bring or import any goods, except into some port or place of entry at which a custom-house now is or hereafter may be lawfully established: provided also, that it shall be lawful for the governor, lieutenant-governor, or person administering the government of any of the said possessions respectively, by and with the advice and consent of the executive council thereof for the time being, if any executive council be there established, from time to time to diminish or increase, by proclamation, the number of ports or places of entry, which are or hereafter may be appointed in such province, for the entry of goods brought or imported as aforesaid, 6 G. 4. c. 114. s. 30.

99. The duties imposed by this act shall be ascertained, levied, and recovered, for and upon all goods so brought or imported, in the same manner, and by the same means, and under the same rules, regulations, restrictions, penalties, and forfeitures, as the duties on the like goods imported by sea may and can be ascertained, levied, or recovered, as far as the same are applicable; and if any goods shall be brought or imported contrary hereto, or if any goods so brought or imported shall be removed from the station or place appointed for the examination of such goods by the officers of the customs, before all duties payable thereon shall have been paid or satisfied, such goods shall be forfeited, together with the vessel, boat, or carriage, and the horses or other cattle, in or by which such goods shall have been so imported or brought or so removed, 6 G. 4. c. 114. s. 31.

100. The same tonnage duties shall be paid upon all vessels or boats of the United States of *America*, importing any goods into either of the provinces of *Upper* or *Lower Canada*, as are or may be for the time being payable in the United States of *America*, on *British* vessels or

boats entering the harbours of the state from whence such goods shall have been imported, 6 G. 4. c. 114. s. 32.

101. And whereas it is expedient to constitute and appoint some of the free ports in *America* to be free warehousing ports, for all goods which may be legally imported into the said ports respectively; and it is also expedient to empower H. M. to constitute and appoint from time to time any other ports in any of the said *British* possessions in *America* to be in like manner free warehousing ports for such goods as may be legally imported into such ports respectively; and it is therefore necessary to make regulations for the appointing of proper warehouses at such ports, and for the lodging and securing of goods therein; be it therefore enacted, That the several ports herein-after mentioned; (that is to say), *Kingston* in the island of *Jamaica*, *Halifax* in *Nova Scotia*, *Quebec* in *Canada*, *Saint John's* in *New Brunswick*, and *Bridge Town* in the island of *Barbadoes*, shall be free warehousing ports for the purposes of this act; and that it shall be lawful for the several collectors and controllers of the said ports respectively, by notice in writing under their hand, to appoint from time to time such warehouses, at such ports respectively as shall be approved of by them, for the free warehousing and securing of goods therein, for the purposes of this act, and also in such notice to declare what sorts of goods may be so warehoused, and also by like notice to revoke or alter any such appointment or declaration: provided, that every such notice shall be transmitted to the governor of the place and shall be published in such manner as he shall direct, 6 G. 4. c. 114. s. 33.

102. It shall be lawful for the importer of any such goods into the said ports, to warehouse the same in the warehouses so appointed, without payment of any duty on the first entry thereof, subject nevertheless to the rules, regulations, restrictions, and conditions herein-after contained, 6 G. 4. c. 114. s. 34.

103. All goods so warehoused shall be stowed in such parts or divisions of the warehouse, and in such manner as the collector and controller shall direct; and the warehouse shall be locked and secured in such manner, and shall be opened and visited only at such time, and in the presence of such officers, and under such rules and regulations as the collector and controller shall direct; and that all such goods shall, after being landed upon importation, be carried to the warehouse, or shall, after being taken out of the warehouse for exportation, be carried to be shipped, under such rules and regulations as the collector and controller shall direct, 6 G. 4. c. 114. s. 35.

104. Upon the entry of any goods to be warehoused, the importer of such goods, instead of paying down the duties due thereon, shall give bond with two sufficient sureties, to be approved of by the collector or controller, in treble the duties payable on such goods, with condition for the safe depositing of such goods in the warehouse mentioned in such entry, and for the payment of all duties due upon such goods, or for the exportation thereof, according to the first account taken of such goods upon the landing of the same; and with further condition, that no part thereof shall be taken out of such warehouse until cleared from thence upon due entry and payment of duty, or upon due entry for exportation; and with further condition, that the whole of such goods shall be so cleared from such warehouse; and the duties, upon any deficiency of the quantity according to such first account, shall be paid within two years from the date of the first entry thereof; and if after such bond shall have been given, the goods or any part thereof shall be sold or disposed of, so that the original bond shall be no longer interested in or have controul over the same, it shall be lawful for the collector and controller to admit fresh security to be given by the bond of the new proprietor or other person having controul over such goods, with his sufficient sureties, and to cancel the bond given by the original bond of such goods, or to exonerate him to the extent of the fresh security so given, 6 G. 4. c. 114. s. 36.

105. If any goods which have been entered to be warehoused shall not be duly carried and deposited in the warehouse, or shall afterwards be taken out of the warehouse without due entry and clearance, or having been entered and cleared for exportation from the warehouse, shall not be duly carried and shipped, or shall afterwards be re-landed, except with permission of the proper officer of the customs, such goods shall be forfeited, 6 G. 4. c. 114. s. 37.

106. Upon the entry and landing of any goods to be warehoused, the proper officer of the customs shall take a particular account of the same, and shall mark the contents on each package, and shall enter the same in a book to be kept for that purpose; and no goods which have been so warehoused shall be taken or delivered from the warehouse, except upon due entry, and under care of the proper officers for exportation, or upon due entry and payment of duty for home use; and whenever the whole of the goods warehoused under any entry shall be cleared from the warehouse, or whenever further time shall be granted for any such goods to remain warehoused, an account shall be made out of the quantity upon which the duties have been paid, and of the quantity exported, and of the quantity (to be then ascertained) of the goods still

remaining in the warehouse, as the case may be, deducting from the whole the quantity contained in any whole packages (if any) which may have been abandoned, for the duties; and if upon such account there shall in either case appear to be any deficiency of the original quantity, the duty payable upon the amount of such deficiency shall then be paid, 6 G. 4. c. 114. s. 38.

107. It shall be lawful for the collector and controller, under such regulations as they shall see fit, to permit moderate samples to be taken of any goods so warehoused without entry, and without payment of duty, except as the same shall eventually become payable, as on a deficiency of the original quantity, 6 G. 4. c. 114. s. 39.

108. It shall be lawful for the collector and controller, under such regulations as they shall see fit, to permit the proprietor or other person having controul over any goods so warehoused, to sort, separate, and pack and repack any such goods, and to make such lawful alterations therein, or arrangements and assortments thereof, as may be necessary for the preservation of such goods, or in order to the sale, shipment, or legal disposal of the same; and also to permit any parts of such goods so separated to be destroyed, but without prejudice to the claim for duty upon the whole original quantity of such goods: provided, that it shall be lawful for any person to abandon any whole packages to the officers of the customs for the duties, without being liable to any duty upon the same, 6 G. 4. c. 114. s. 40.

109. All goods which have been so warehoused shall be duly cleared, either for exportation or for home consumption, within two years from the day of the first entry thereof; and if any such goods be not so cleared it shall be lawful for the collector and controller to cause the same to be sold, and the produce shall be applied, first to the payment of the duties, next of warehouse rent and other charges, and the overplus (if any) shall be paid to the proprietor: provided, that it shall be lawful for the collector and controller to grant further time for any such goods to remain warehoused, if they shall see fit so to do, 6 G. 4. c. 114. s. 41.

110. Upon the entry outwards of any goods to be exported from the warehouse, the person entering the same shall give security by bond, in treble the duties of importation on the quantity of such goods, with two sufficient sureties, to be approved by the collector or controller, that the same shall be landed at the place for which they be entered outwards, or be otherwise accounted for to the satisfaction of the collector and controller, 6 G. 4. c. 114. s. 42.

111. It shall be lawful for H. M. in council from time to time to appoint any port in H. M.'s possessions in *America*, to be a free warehousing port for the purposes of this act; and every such port so appointed by H. M. shall be a free warehousing port under this act as if appointed by the same, in as full and ample a manner, in all respects, as any of the ports herein-before mentioned are free warehousing ports appointed by this act, 6 G. 4. c. 114. s. 43.

112. And whereas it is expedient that all duties and regulations, relating to importation and exportation into and from H. M.'s islands in the *West Indies*, should be extended to the island of *Mauritius*; be it therefore enacted, That all goods, wares, and merchandize, the growth, produce, or manufacture of the island of *Mauritius*, and all goods, wares, and merchandize which shall have been imported into the said island of *Mauritius*, and which shall be imported into any part of the U. K. of *G. B.* and *Ire.*, or into any possessions of H. M., shall be liable, upon such importation into the U. K., or in any such possessions respectively, to the payment of the same duties, and shall be subject to the same regulations as the like goods, wares, and merchandize being of the growth, produce, or manufacture of H. M.'s islands in the *West Indies*, and imported into the said U. K., or in any such possessions respectively, would on such importation be liable to the payment of or would be subject unto; and that upon the exportation of any goods, wares, or merchandize from the U. K. to the island of *Mauritius*, such goods, wares, or merchandize shall be liable to the same duties, and shall be entitled to the like drawbacks respectively, as would or ought by law, to be charged or allowed upon the like goods exported from the U. K. to any of H. M.'s islands in the *West Indies*; and that all goods, wares, and merchandize which shall be imported into or exported from the said island of *Mauritius*, from or to any place whatever, other than the U. K. of *G. B.* and *Ire.*, shall, upon such importation or exportation respectively, be liable to the payment of the same duties, and shall be subject to the same regulations, so far as any such regulations can or may be applied, as the like goods, wares, and merchandize would be liable to the payment of, or would be subject to, upon importation or exportation into or from any of H. M.'s islands in the *West Indies*; and that all ships and vessels whatever, which shall arrive at or depart from the said island of *Mauritius*, shall be liable to the payment of the same duties, and shall be subject to the same regulations, as such ships or vessels would be liable to the payment of, or would be subject to, if arriving at or departing from any of H. M.'s islands in the *West Indies*, 6 G. 4. c. 114. s. 44.

113. It shall be lawful for any of the subjects of the King of the

Netherlands, being *Dutch* proprietors, in the colonies of *Demerara* and *Essequibo*, and of *Berbice*, to import in *Dutch* ships, from the *Netherlands* into the said colonies, all the usual articles of supply for their estates therein; and also wine imported for the purposes of medicine only, and which shall be liable to a duty of 10s. *per* ton, and no more; and in case seizure be made of any articles so imported, upon the ground that they are not such supplies, or are for the purpose of trade, the proof to the contrary shall lie on the *Dutch* proprietor importing the same, and not on the seizing officer: provided, that if sufficient security by bond be given in court to abide the decision of the commissioners of customs upon such seizure, the goods so seized shall be admitted to entry and released, 6 G. 4. c. 114. s. 45.

114. It shall not be lawful for such *Dutch* proprietors to export the produce of their estates to the U. K., or to any of H. M.'s sugar colonies in *America*, 6 G. 4. c. 114. s. 46.

115. All subjects of H. M. the King of the *Netherlands*, resident in His said Majesty's *European* dominions, who were at the date of the signature of the convention between His late Majesty King *George* the Third and the King of the *Netherlands*, dated 12th *Aug.* 1815, proprietors of estates in the said colonies, and all subjects of His said Majesty, who may hereafter become possessed of estates then belonging to *Dutch* proprietors therein, and all such proprietors as being then resident in the said colonies and being natives of H. M.'s dominions in the *Netherlands*, may have declared, within three months after the publication of the aforesaid convention in the said colonies, that they wish to continue to be considered as such, and all subjects of His said Majesty the King of the *Netherlands* who may be the holders of mortgages of estates in the said colonies made prior to the date of the convention, and who may under the mortgage deeds have the right of exporting from the said colonies to the *Netherlands* the produce of such estates, shall be deemed *Dutch* proprietors under the provisions of this act; provided that where both *Dutch* and *British* subjects have mortgages upon the same property in the said colonies, the produce to be consigned to the different mortgagees shall be in proportion to the debts respectively due to them, 6 G. 4. c. 114. s. 47.

116. No *British* merchant-ship or vessel shall sail from any place in the island of *Jamaica* to any place in the island of *Saint Domingo*, nor from any place in the island of *Saint Domingo* to any place in the island of *Jamaica*, under the penalty of the forfeiture of such ship or vessel, together with her cargo; and that no foreign ship or vessel which shall have come from, or shall in the course of her voyage have touched at any such place in the island of *Saint Domingo*, shall come into any port or harbour in the island of *Jamaica*; and if any such ship or vessel, having come into any such port or harbour, shall continue there for 48 hours after notice shall have been given by the officer of the customs to depart therefrom, such ship or vessel shall be forfeited; and if any person shall be landed in the island of *Jamaica* from on board any ship or vessel which shall have come from or touched at the island of *Saint Domingo*, except in case of urgent necessity, or unless licence shall have been given by the governor of *Jamaica* to land such person, such ship shall be forfeited, together with her cargo, 6 G. 4. c. 114. s. 48.

117. All laws, bye-laws, usages or customs at this time, or which hereafter shall be in practice, or endeavoured or pretended to be in force or practice, in any of the *British* possessions in *America*, which are in anywise repugnant to this act, or to any act of parliament made or hereafter to be made in the U. K., so far as such act shall relate to and mention the said possessions, are and shall be null and void to all intents and purposes whatsoever, 6 G. 4. c. 114. s. 49.

118. It shall be lawful for the officers of customs to go on board any ship in any port in any *British* possession in *America*, and to rummage and search all parts of such ship for prohibited and uncustomed goods, and also to go on board any ship hovering within one league of any of the coasts thereof, and in either case freely to stay on board such ship so long as she shall remain in such port, or within such distance; and if any such ship be bound elsewhere, and shall continue so hovering for the space of 24 hours after the master shall have been required to depart, it shall be lawful for the officer of the customs to bring such ship into port, and to search and examine her cargo, and to examine the master upon oath touching the cargo and voyage, and if there be any goods on board prohibited to be imported into such possession, such ship and her cargo shall be forfeited; and if the master shall not truly answer the questions which shall be demanded of him in such examination, he shall forfeit the sum of 100*l.*, 6 G. 4. c. 114. s. 50.

119. All vessels, boats, and carriages, and all cattle made use of in the removal of any goods liable to forfeiture under this act, shall be forfeited, and every person who shall assist or be otherwise concerned in the unshipping, landing or removal, or in the harbouring of such goods, or into whose hands or possession the same shall knowingly come, shall forfeit the treble value thereof, or the penalty of 100*l.*, at the election of the officers of the customs; and the averment in any information or libel to be exhibited for the recovery of such penalty, that the officer

proceeding has elected to sue for the sum mentioned in the information, shall be deemed sufficient proof of such election, without any other or further evidence of such fact, 6 G. 4. c. 114. s. 51.

120. All goods, and all ships, vessels and boats, and all carriages, and all cattle liable to forfeiture under this act, shall and may be seized and secured by any officer of the customs or navy, or by any person employed for that purpose, by or with the concurrence of the commissioners of H. M.'s customs; and every person who shall in any way hinder, oppose, molest, or obstruct any officer of the customs or navy, or any person so employed as aforesaid, in the exercise of his office, or any person acting in his aid or assistance, shall for every such offence forfeit the sum of 200*l.*, 6 G. 4. c. 114. s. 52.

121. Under authority of a writ of assistance granted by the superior or supreme court of justice, or court of vice-admiralty having jurisdiction in the place (who are hereby authorized and required to grant such writ of assistance, upon application made to them for that purpose by the principal officers of H. M.'s customs), it shall be lawful for any officer of the customs, taking with him a peace-officer, to enter any building or other place in the day time, and to search for and seize and secure any goods liable to forfeiture under this act; and in case of necessity, to break open any doors and any chests or other packages for that purpose; and such writ of assistance, when issued, shall be deemed to be in force during the whole of the reign in which the same shall have been granted, and for 12 months from the conclusion of such reign, 6 G. 4. c. 114. s. 53.

122. If any person shall by force or violence assault, resist, oppose, molest, hinder, or obstruct any officer of the customs or navy, or other person employed as aforesaid, in the exercise of his office, or any person acting in his aid or assistance, such person, being thereof convicted, shall be adjudged a felon, and shall be proceeded against as such, and punished at the discretion of the court before whom such person shall be tried, 6 G. 4. c. 114. s. 54.

123. All things which shall be seized as being liable to forfeiture under this act, shall be taken forthwith and delivered into the custody of the collector and controller of the customs at the custom-house next to the place where the same were seized, who shall secure the same by such means and in such manner as shall be provided and directed by the commissioners of H. M.'s customs, 6 G. 4. c. 114. s. 55.

124. All things which shall have been condemned as forfeited under this act shall, under the direction of the collector and controller or other principal officer of the customs at the port where such seizures shall have been secured, be sold by public auction to the best bidder: provided, that it shall be lawful for the commissioners of the customs to direct in what manner the produce of such sale shall be applied, or in lieu of such sale, to direct that any of such things shall be destroyed or shall be reserved for the public service, 6 G. 4. c. 114. s. 56.

125. All penalties and forfeitures which may have been heretofore or may be hereafter incurred, shall and may be prosecuted, sued for, and recovered in any court of record or of vice-admiralty, having jurisdiction in the colony or plantation where the cause of prosecution arises, and in cases where there shall happen to be no such courts, then in any court of record or of vice-admiralty having jurisdiction in some *British* colony or plantation near to that where the cause of prosecution arises; provided, that in cases where a seizure is made in any other colony than that where the forfeiture accrues, such seizure may be prosecuted in any court of record or of vice-admiralty having jurisdiction either in the colony or plantation where the forfeiture accrues, or in the colony or plantation where the seizure is made, at the election of the seisor or prosecutor; and in cases where there shall happen to be no such courts in either of the last-mentioned colonies or plantations, then in the court of record or of vice-admiralty having jurisdiction in some *British* colony or plantation near to that where the forfeiture accrues, or to that where the seizure is made, at the election of the seisor or prosecutor, 6 G. 4. c. 114. s. 57.

126. If any goods or any ship or vessel shall be seized as forfeited under this act, or any act hereafter to be made, and detained in any of the *British* possessions in *America*, it shall be lawful for the judge or judges of any court having jurisdiction to try and determine such seizures, with the consent of the collector and controller of the customs, to order the delivery thereof on security by bond, with two sufficient sureties, to be first approved by such collector and controller, to answer double the value of the same in case of condemnation; and such bond shall be taken to the use of H. M. in the name of the collector of the customs in whose custody the goods or the ship or vessel may be lodged, and such bond shall be delivered and kept in the joint custody of such collector and his controller, and in case the goods or the ship or vessel shall be condemned, the value thereof shall be paid into the hands of such collector, who shall thereupon, with the consent or privity of his controller, cancel such bond, 6 G. 4. c. 114. s. 58.

127. No suit shall be commenced for the recovery of any penalty or forfeiture under this act, except in the name of some superior officer of

the customs or navy, or other person employed as herein-before mentioned, or of H. M.'s advocate or attorney-general for the place where such suit shall be commenced: and if a question shall arise whether any person is an officer of the customs or navy, or such other person as aforesaid, *viva voce* evidence may be given of such fact, and shall be deemed legal and sufficient evidence, 6 G. 4. c. 114. s. 59.

128. If any goods shall be seized for non-payment of duties or any other cause of forfeiture, and any dispute shall arise whether the duties have been paid for the same, or the same have been lawfully imported, or lawfully laden or exported, the proof thereof shall lie on the owner or claimer of such goods, and not on the officer who shall seize and stop the same, 6 G. 4. c. 114. s. 60.

129. No claim to any thing seized under this act, and returned into any of H. M.'s courts for adjudication, shall be admitted, unless such claim be entered in the name of the owner, with his residence and occupation, nor unless oath to the property in such thing be made by the owner, or by his attorney or agent by whom such claim shall be entered, to the best of his knowledge and belief; and every person making a false oath thereto shall be deemed guilty of a misdemeanor, and shall be liable to the pains and penalties to which persons are liable for a misdemeanor, 6 G. 4. c. 114. s. 61.

130. No person shall be admitted to enter a claim to any thing seized in pursuance of this act, and prosecuted in any of the *British* possessions in *America*, until sufficient security shall have been given, in the court where such seizure is prosecuted, in a penalty not exceeding 60*l.*, to answer and pay the costs occasioned by such claim; and in default of giving such security, such things shall be adjudged to be forfeited, and shall be condemned, 6 G. 4. c. 114. s. 62.

131. No writ shall be sued out against, nor a copy of any process served upon any officer of the customs or navy, or other person as aforesaid, for any thing done in the exercise of his office, until one calendar month after notice in writing shall have been delivered to him, or left at his usual place of abode, by the attorney or agent to the party who intends to sue out such writ or process; in which notice shall be clearly and explicitly contained the cause of the action, the name and place of abode of the person who is to bring such action, and the name and place of abode of the attorney or agent; and no evidence of the cause of such action shall be produced, except of such as shall be contained in such notice, and no verdict shall be given for the plaintiff, unless he shall prove on the trial that such notice was given; and in default of such proof, the defendant shall receive in such action a verdict and costs, 6 G. 4. c. 114. s. 63.

132. Every such action shall be brought within three calendar months after the cause thereof, and shall be laid and tried in the place or district where the facts were committed, and the defendant may plead the general issue, and give the special matter in evidence; and if the plaintiff shall become nonsuited, or shall discontinue the action, or if upon a verdict or demurrer, judgment shall be given against the plaintiff, the defendant shall receive treble costs, and have such remedy for the same as any defendant can have in other cases where costs are given by law, 6 G. 4. c. 114. s. 64.

133. In case any information or suit shall be brought to trial on account of any seizure made under this act, and a verdict shall be found for the claimant thereof, and the judge or court before whom the cause shall have been tried, shall certify on the record that there was probable cause of seizure, the claimant shall not be entitled to any costs of suit, nor shall the person who made such seizure be liable to any action, indictment, or other suit or prosecution, on account of such seizure; and if any action, indictment, or other suit or prosecution shall be brought to trial against any person on account of such seizure, wherein a verdict shall be given against the defendant, the plaintiff, besides the thing seized, or the value thereof, shall not be entitled to more than 2*d.* damages, nor to any costs of suit, nor shall the defendant in such prosecution be fined more than 1*s.*, 6 G. 4. c. 114. s. 65.

134. It shall be lawful for such officer, within one calendar month after such notice, to tender amends to the party complaining or his agent, and to plead such tender in bar to any action, together with other pleas; and if the jury shall find the amends sufficient, they shall give a verdict for the defendant; and in such case, or in case the plaintiff shall become nonsuited, or shall discontinue his action, or judgment shall be given for the defendant upon demurrer, then such defendant shall be entitled to the like costs as he would have been entitled to in case he had pleaded the general issue only: provided, that it shall be lawful for such defendant, by leave of the court where such action shall be brought, at any time before issue joined, to pay money into court as in other actions, 6 G. 4. c. 114. s. 66.

135. In any such action, if the judge, or court before whom such action shall be tried, shall certify upon the record that the defendant in such action acted upon probable cause, then the plaintiff in such action shall not be entitled to more than 2*d.* damages, nor to any costs of suit, 6 G. 4. c. 114. s. 67.

136. All penalties and forfeitures recovered in any of the *British* possessions in *America* under this act, shall be divided, paid, and applied as follows; (that is to say), after deducting the charges of prosecution from the produce thereof, one-third part of the net produce shall be paid into the hands of the collector of H. M.'s customs at the port or place where such penalties or forfeitures shall be recovered for the use of H. M.; one-third part to the governor or commander-in-chief of the said colony or plantation, and the other third part to the person who shall seize, inform, and sue for the same; excepting such seizures as shall be made at sea by the commanders or officers of H. M.'s ships of war, duly authorized to make seizures, one moiety of which seizures and of the penalties and forfeitures recovered thereon, first deducting the charges of prosecution from the gross produce thereof, shall be paid as aforesaid to the collector of H. M.'s customs, to and for the use of H. M.; and the other moiety to him or them who shall seize, inform, and sue for the same, any law, custom or usage to the contrary notwithstanding; subject nevertheless to such distribution of the produce of the seizures so made at sea, as well with regard to the moiety herein-before granted to H. M. as with regard to the other moiety given to the seizer or prosecutor, as H. M. shall think fit to order and direct by any order or orders of council, or by any proclamation or proclamations to be made for that purpose, 6 G. 4. c. 114. s. 68.

137. All actions or suits for the recovery of any of the penalties or forfeitures imposed by this act may be commenced or prosecuted at any time within three years after the offence committed, by reason whereof such penalty or forfeiture shall be incurred; any law, usage or custom to the contrary notwithstanding, 6 G. 4. c. 114. s. 69.

138. No appeal shall be prosecuted from any decree or sentence of any of H. M.'s courts in *America*, touching any penalty or forfeiture imposed by this act, unless the inhibition shall be applied for and decreed within 12 months from the time when such decree or sentence was pronounced, 6 G. 4. c. 114. s. 70.

139. All persons authorized to make seizures under 5 G. 4. c. 113. [post, tit. SLAVE TRADE], intituled, *An Act to amend and consolidate the laws relating to the abolition of the slave trade*, shall, in making and prosecuting any such seizures, have the benefit of all the provisions granted to persons authorized to make seizures under this act, 6 G. 4. c. 114. s. 71.

140. All penalties and forfeitures created by the 5 G. 4. c. 113., whether pecuniary or specific, shall (except in cases specially provided for by the said act), go and belong to such persons as are authorized by that act to make seizures, in such shares, and shall and may be sued for and prosecuted, tried, recovered, distributed, and applied in such and the like manner, and by the same ways and means, and subject to the same rules and directions, as any penalties and forfeitures incurred in *G. B.* and in the *British* possessions in *America* respectively now go and belong to, and may be sued, prosecuted, tried, recovered, and distributed respectively in *G. B.*, or in the said possessions, under and by virtue of this act, 6 G. 4. c. 114. s. 72.

141. It shall be lawful for H. M., by and with the advice of his privy council, by any order or orders in council to be issued from time to time, to give such directions and make such regulations touching the trade and commerce to and from any *British* possessions on or near the continent of *Europe*, or within the *Mediterranean* sea, or in *Africa*, or within the limits of the *E. I. C.*'s charter (excepting the possessions of the said Co.), as to H. M. in council shall appear most expedient and salutary; and if any goods shall be imported or exported in any manner contrary to any such order of H. M. in council, the same shall be forfeited, together with the ship importing or exporting the same, 6 G. 4. c. 114. s. 73.

142. It shall be lawful for the *E. I. C.* to trade in and export from any place within the limits of their charter, any goods for the purpose of being carried to some of H. M.'s possessions in *America*, and so to carry and to import the same into any of such possessions; and also to carry return cargoes from such possessions to any place within the limits of their charter, or to the U. K.; and that it shall be lawful for any of H. M.'s subjects, with the licence in writing granted by or under the authority of the said company, to lade in and export from any of the dominions of the emperor of *China* any goods, and to lade in and export from any place within the limits of the said Co.'s charter any tea, for the purpose of being carried to some of H. M.'s possessions in *America*, and also so to carry and to import the same into any of such possessions, 6 G. 4. c. 114. s. 74.

143. It shall be lawful for any person, being the shipper of any sugar, the produce of some *British* possessions within the limits of the *E. I. C.*'s charter, to be exported from any place in such possession, to go before the collector or controller, or other chief officer of the customs at such place, or if there be no such officer of the customs, to go before the principal officer of such place, or the judge or commercial resident of the district, and make and sign an affidavit before him, that such sugar was really and *bonâ fide* the produce of such *British* possession, to the best of his knowledge and belief; and such officer, judge, or resident, is

hereby authorized and required to administer such affidavit, and to grant a certificate thereof, setting forth in such certificate the name of the ship in which the sugar is to be exported, and the destination of the same, 6 G. 4. c. 114. s. 75.

144. Nothing in this act, or in any other act passed in this present session of parliament, shall extend to repeal, or in any way alter or affect 37 G. 3. c. 117. intituled, *An Act for regulating the trade to be carried on with the British possessions in India by the ships of nations in amity with H. M.*; nor to revoke, alter, or affect any regulations formed under the authority of that act, and which were in force at the time of the commencement of this act, 6 G. 4. c. 114. s. 76.

145. All ships built at any place within the limits of the *E. I. C.*'s charter, prior to the 1st Jan. 1816, and which then were and have continued ever since to be solely the property of H. M.'s subjects, shall be deemed to be *British* ships for all the purposes of trade within the said limits, including the *Cape of Good Hope*; any thing in this act, or in any other act or acts passed in this present session of parliament to the contrary notwithstanding, 6 G. 4. c. 114. s. 77.

146. It shall be lawful for the shipper of any wine, the produce of the *Cape of Good Hope*, or of its dependencies, which is to be exported from thence, to go before the chief officer of the customs, and make and sign an affidavit before him, that such wine was really and *bonâ fide* the produce of the *Cape of Good Hope*, or of its dependencies; and such officer is hereby authorized and required to administer such affidavit, and to grant a certificate thereof, setting forth in such certificate the name of the ship in which the wine is to be exported, and the destination of the same, 6 G. 4. c. 114. s. 78.

147. It shall be lawful for any person who is about to export from any of the islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, to the U. K., or to any of the *British* possessions in *America*, any goods of the growth or produce of any of those islands, or any goods manufactured from materials which were the growth or produce thereof, or of the U. K., to go before any magistrate of the island from which the goods are to be exported, and make and sign before him an affidavit that such goods, describing the same, are of such growth or produce, or of such manufacture, and such magistrate shall administer and sign such affidavit; and thereupon the governor, lieutenant-governor, or commander-in-chief of the island from which the goods are to be exported, shall, upon the delivery to him of such affidavit, grant a certificate under his hand of the proof contained in such affidavit, stating the ship in which and the port to which, in the U. K. or in any such possession, the goods are to be exported; and such certificate shall be the proper document to be produced at such ports respectively, in proof that the goods mentioned therein are of the growth, produce, or manufacture of such islands respectively, 6 G. 4. c. 114. s. 79.

148. It shall not be lawful to import into any of the islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, any tea, nor any tobacco, except from the U. K.; and if any tea or any tobacco shall be brought into any of the said islands, from any other place than from the U. K., or not having been duly entered and cleared in the U. K., to be exported to such island, the same shall be forfeited, 6 G. 4. c. 114. s. 80.

149. No brandy, Geneva, or other spirits, except rum of the *British* plantations, shall be imported into or exported from the islands of *Jersey*, *Guernsey*, *Alderney*, or *Sark*, or either of them, or removed from any one to any other of the said islands, or coastwise from any one part to any other part of either of the said islands, or shall be shipped, in order to be so removed or carried, or shall be water-borne, for the purpose of being so shipped in any ship, vessel, or boat of less burthen than 100 tons, nor in any cask or package of less size or content than 40 gallons; nor any tobacco or snuff, in any ship, vessel, or boat of less burthen than 100 tons, nor in any cask or package containing less than 450 lbs. weight (save and except any such spirits or loose tobacco as shall be for the use of the seamen belonging to and on board any such ship, vessel, or boat, not exceeding two gallons of the former, and five lbs. weight of the latter for each seaman; and also except such manufactured tobacco or snuff as shall have been duly exported as merchandize from *G. B.* or *Ire.*), nor shall any wine be imported into or exported from the said islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, or either of them, or carried from any one of the said islands to any other thereof, or coastwise, from any one part to any other part of the said islands, or be shipped, or water-borne for the purpose of being shipped in any ship, vessel, or boat of less burthen than 60 tons, or in any cask containing less than 20 gallons, or any package containing less than three dozen reputed quart bottles, or six dozen reputed pint bottles, on pain of forfeiture of all such foreign brandy, Geneva, or other spirits, tobacco, snuff, or wine respectively, together with the casks or packages containing the same; and also every such ship, vessel, or boat, together with all the guns, furniture, and ammunition, tackle and apparel thereof, 6 G. 4. c. 114. s. 81.

150. Provided, that nothing herein contained shall extend or be construed to extend to subject to forfeiture or seizure, under any of the provisions of this act, any boat not exceeding the burthen of 10 tons, for having on board at any one time any foreign spirits of the quantity of 10

gallons or under, in casks or packages of less size or content than 40 gallons; or any tobacco, snuff, or tea, not exceeding 50 lbs. weight of each, for the supply of the said island of *Sark*, such boat having a licence from the proper officer of customs at either of the islands of *Guernsey* or *Jersey*, and for the purpose of being employed in carrying commodities for the supply of the said island of *Sark*, which licence such officer of customs is hereby required to grant, without taking any fee or reward for the same: provided, that every such boat having on board at any one time any greater quantity of spirits than 10 gallons, or any greater quantity of tobacco or snuff than 50 lbs. weight of each of the said articles, unless such greater quantity of spirits, tobacco, or snuff, shall be in casks or packages of the size, content, or weight hereinbefore required, or having on board at any one time any greater quantity of tea than 50 lbs. weight, shall be forfeited, 6 G. 4. c. 114. s. 82.

151. Provided, that nothing herein contained shall extend or be construed to extend to prevent the importation into, or exportation from the said islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, or either of them, of any wine in bottles shipped in cases or casks only, each containing at least three dozen reputed quart bottles, or six dozen reputed pint bottles: provided, that before any such wine in bottle shall be shipped for exportation to or for *G. B.* or *Ire.*, the master or other person having the charge or command of the ship, vessel, or boat, in or on board of which such wine shall be so intended to be exported, together with one other sufficient surety, shall give bond in the penalty of 40s. per gallon, that the wine so shipped shall (the danger of the seas and enemies excepted) be duly entered and landed at the port or place in *G. B.* or *Ire.* to or for which the same shall be declared at the time of giving such bond, (which bond and declaration the proper officer of customs is hereby authorized and empowered to take); and such officer is required so furnish the master, or other person having the charge or command of the ship, vessel, or boat in which any such wine may be, with a certificate specifying the number of such packages as aforesaid, and the quantity of wine contained in each, the date of the bond, and the name of the port or place to or for which the same shall be so declared; and such bond so given as aforesaid shall not be delivered up or cancelled until a certificate under the hand of the proper officer of the customs in *G. B.* or *Ire.*, of the due landing of the wine mentioned therein, shall be produced to and left with the officer taking the said bond within three months after the date of such bond, 6 G. 4. c. 114. s. 83.

152. Every person who shall be found or discovered to have been on board any vessel or boat liable to forfeiture under any act relating to the revenue of customs, for being found within one league of the islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, having on board or in any manner attached or affixed thereto, or having had on board, or in any manner attached or affixed thereto, or conveying, or having conveyed, in any manner, such goods or other things as subject such vessel or boat to forfeiture, or who shall be found or discovered to have been on board any vessel or boat from which any part of the cargo shall have been thrown overboard during chase, or staved or destroyed, shall forfeit the sum of 100l., 6 G. 4. c. 114. s. 84.

153. It shall not be lawful for any person to re-export, from any of H. M.'s possessions abroad to any foreign place, any coals the produce of the U. K.; and that no such coals shall be shipped at any of such possessions, to be exported to any *British* place, until the exporter or the master of the exporting vessel shall have given bond, with one sufficient surety in double the value of the coals, that such coals shall not be landed at any foreign place, 6 G. 4. c. 114. s. 85.

NEWFOUNDLAND. (See FISHERY, NEW- FOUNDLAND.)

1. For the better administration of justice in *Newfoundland*, and for other purposes, 5 G. 4. c. 67. [To be in force for five years from the passing thereof, viz. 17th June 1824. s. 36.]

2. Whereas it is expedient to make further provision for the administration of justice in the colony of *Newfoundland*; be it therefore enacted, That it shall and may be lawful for H. M., by his charter or letters patent under the great seal, to institute a superior court of judicature in *Newfoundland*, which shall be called "The Supreme Court of *Newfoundland*;" and the said court shall be a court of record, and shall have all civil and criminal jurisdiction whatever in *Newfoundland*, and in all lands, islands, and territories dependant upon the government thereof, as fully and amply, to all intents and purposes, as H. M.'s courts of *K. B.*, *C. P.*, exchequer, and high court of chancery, in that part of *G. B.* called *Eng.*, have, or any of them hath; and the said supreme court shall also be a court of oyer and terminer and general gaol delivery in and for *Newfoundland*, and all places within the government thereof; and shall also have jurisdiction in all cases of crimes and mis-

demeanors committed on the banks of *Newfoundland*, or any of the seas or islands to which ships or vessels repair from *Newfoundland* for carrying on the fishery, 5 G. 4. c. 67. s. 1.

3. The said supreme court shall be holden by a chief judge and two assistant judges, being respectively barristers in *Eng.* or *Ire.* of at least three years standing, or in some of H. M.'s colonies or plantations, who shall be appointed to such their offices by H. M., his heirs and successors: provided, that it shall be lawful for H. M., his heirs and successors, from time to time as occasion may require, to remove and displace any such chief judge or assistant judge as aforesaid, and in his stead to appoint any other fit and proper person, being a barrister as aforesaid, to be the chief judge or assistant judge of the said court, as the case may be: and provided also, that in case any such chief judge or assistant judge shall be absent from *Newfoundland*, or die, or resign such his office, or by reason of sickness or otherwise shall become incapable of performing the duties thereof, then and in every such case it shall be lawful for the governor or acting governor of *Newfoundland*, for the time being, to nominate and appoint some fit and proper person to act as chief judge or assistant judge, as the case may be, in the place or stead of the judge so being absent, dying, resigning his office, or becoming incapable of performing the duties thereof until such judge shall resume the duties of his office, or until a successor shall be appointed by H. M. his heirs and successors; and the said chief judge and assistant judges shall respectively have and exercise such and the like powers and authorities in *Newfoundland*, and in all places dependant upon the government thereof, as any judge of any of H. M.'s said courts of *K. B.*, *C. P.*, and exchequer, or as the lord high chancellor of *G. B.*, hath or exercises in *Eng.*, 5 G. 4. c. 67. s. 2.

4. All issues of fact which may be joined between the parties in any action at law originally brought before the said supreme court of record, or which may be joined upon any criminal information or prosecution depending in that court, shall be tried at the town of *Saint John's* in the island of *Newfoundland*, by a jury of 12 men; and for the purpose of hearing and trying all suits, actions, and all informations, prosecutions, and other proceedings, of what nature or kind soever, which may be brought or commenced in the said supreme court, one or more term or terms, or session or sessions of the said court, shall be held at the town of *Saint John's* aforesaid, in each year, by the said chief judge and assistant judges, at such times as the governor or acting governor of the said colony shall from time to time, by any proclamation to be by him for that purpose issued, direct and appoint, 5 G. 4. c. 67. s. 3.

5. As often as any information, action, or suit shall be brought or prosecuted before the said supreme court, for the breach or violation of any law relating to the trade or revenue of the *British* colonies or plantations in *America*, such information, action, or suit shall be heard and determined by the said court, according to the course of proceeding in similar cases in the courts of vice-admiralty in the said colonies or plantations; and that it shall be lawful for the party or parties feeling aggrieved by the judgment or decree of the said supreme court, in any such case to appeal from such judgment or decree to the high court of admiralty, or to H. M. in council, under such and the like rules and regulations as are observed in appeals from the said courts of vice-admiralty, 5 G. 4. c. 67. s. 4.

6. The said supreme court shall have power to grant administration of the effects of intestates, and the probate of wills; and the effects of deceased persons shall not be administered within the island of *Newfoundland*, or any island, place, or territory dependant upon the government thereof, unless administration or probate shall have been duly granted by the said supreme court; and in all cases where the executor or executors of any will in *Newfoundland*, or the dependencies thereof, upon being duly cited, shall refuse or neglect to take out probate as aforesaid; or where the next of kin shall be absent from *Newfoundland*, and the effects of the deceased shall appear to the said supreme court to be exposed and liable to waste, it shall be lawful for the said supreme court to authorize and empower the registrar or clerk of the said court, or some other fit and proper person, to collect the said effects, and hold, or deposit, or invest the same in such manner and place, or upon such security, and subject to such orders and directions as shall be made by the said supreme court in respect of the custody, control, or disposal of such effects, 5 G. 4. c. 67. s. 5.

7. The said supreme court shall have power and authority to appoint guardians and keepers for infants and their estates, according to the order and course observed in such cases in *Eng.*; and also to appoint guardians and keepers of the persons and estates of natural fools, and of such as are or shall be deprived of their reason or understanding, so as to be unable to govern themselves and their affairs, which the said supreme court shall have power and authority to enquire of and determine, by inspection of the person, or by such other ways and means as to such supreme court shall seem best for ascertaining the truth, 5 G. 4. c. 67. s. 6.

8. It shall be lawful for the governor or acting governor for the time

being of *Newfoundland*, by any proclamation or proclamations to be by him for that purpose issued, to apportion and divide the said colony into three several districts, and to fix and ascertain the boundaries and limits of every such district, and such boundaries or limits from time to time to alter as occasion may require: provided, that such apportionment of the said colony into such districts as aforesaid, be made in such manner as to such governor or acting governor may appear to be best adapted for enabling the inhabitants of the said colony to resort with ease and convenience to the circuit courts to be therein established as after mentioned, 5 G. 4. c. 67. s. 7.

9. It shall be lawful for H. M., by any such charter or letters patent as aforesaid, to institute circuit courts in each of the three districts in which the said colony may be so divided as aforesaid; and each of the said circuit courts shall be holden once at least in each year by the said chief judge, or by one of the said assistant judges of the said supreme court of *Newfoundland*, at such times, and at such one or more place or places within each of the said districts, as the governor or acting governor for the time being of *Newfoundland* shall from time to time direct and appoint, 5 G. 4. c. 67. s. 8.

10. The said circuit courts shall be respectively courts of record, and shall, within the district in which it may be holden, have and exercise all such and the same jurisdiction, powers, and authority, as is hereby vested in the said supreme court of *Newfoundland* throughout the whole of the said colony; saving and excepting the trying and determining of treasons, or misprisions of treason, and felonies not within the benefit of clergy, and the hearing or determining of any information, suit, or action, for the breach or violation of any act of parliament relating to the trade and revenue of the *British* colonies in *America*; all which said crimes and offences, informations, suits, and actions, shall be tried, enquired of, heard, and determined in the said supreme court of *Newfoundland*, and not elsewhere within the said colony, 5 G. 4. c. 67. s. 9.

11. All crimes and misdemeanors, cognizable in the said circuit courts, and all issues of fact which may be joined between the parties in any civil action, depending in the said circuit courts, shall be enquired of, heard, and determined by the said circuit judge, and a jury of 12 men, according to the rules and course of the law of *Eng.*, as far as the situation and circumstances of the said colony will permit, 5 G. 4. c. 67. s. 10.

12. Provided, that if upon the trial of any crimes or misdemeanors before any of the said circuit courts, 12 good and lawful men shall not appear to form a jury, then and in all such cases such trial shall be had by the circuit judge and three assessors, being justices of the peace in and for the said colony, or for some district thereof; and the said justices shall be nominated from time to time to serve as such assessors as aforesaid by the governor or acting governor for the time being of the said colony, and shall severally be liable to be challenged or objected to upon the special ground of direct interest or affection, to be specified in open court at the time of challenge; and in case of such challenge or objection being allowed by the judge of the said circuit court, the justice of the peace so challenged or objected to shall be succeeded by another such justice of the peace, who shall in like manner be nominated by the governor or acting governor for the time being as aforesaid, and be liable in the same manner to challenge or objection, until three such justices of the peace shall appear duly qualified for the trial of any offender in the said circuit courts respectively; and the said justices of the peace shall thereupon severally take and repeat in open court the same oath as is taken by petit jurors impanelled for the trial of any crime or misdemeanor in a court of record in *Eng.*; and the judges of the said circuit courts respectively shall, together with the said three assessors, give their verdict upon every such trial in open court; but no person shall be found guilty by any such verdict unless the judge of the said court, and two at the least of his said assessors, shall concur in such verdict; and the proceedings in the said circuit courts respectively shall be under the controul and direction of the respective judges thereof, and all matters of law arising in the course of any trial shall be determined by such judges respectively, 5 G. 4. c. 67. s. 11.

13. Provided, that if upon the trial of any issue or issues of fact joined between the parties in any civil suit or action depending in any of the said circuit courts, 12 good and lawful men shall not appear to form a jury, all such issues of fact shall be tried and decided by the judge of such court alone, and without a jury; and that in all cases where the sum or matter at issue in any such suit or action shall exceed or be of the value of more than 50*l.* sterling *British* money, the judges of the said courts respectively shall cause the evidence on any such hearing or trial as aforesaid to be taken down in writing by the clerk, or other proper officer, in open court, in the presence of the witnesses respectively giving the same, and the evidence so taken shall be entered upon the proceedings of the said courts respectively, and be of record; and in every case in which any appeal shall be made and allowed under the provisions of this act, from any judgment of the said circuit courts, not founded on the verdict of a jury, copies of all documents and papers which shall have

been produced and given in evidence, shall be certified by the said clerk, or other proper officer, as authentic; and also copies of any documents and papers which shall have been produced and tendered in evidence and rejected, shall, if required by the party producing the same, be in like manner authenticated, but marked by such officer as aforesaid as rejected, in order that all such copies may be annexed to the record, as part thereof, in case of appeal, 5 G. 4. c. 67. s. 12.

14. It shall be lawful for the judges of the said circuit courts respectively, on the application of either of the parties, plaintiff or defendant, at or before the trial of any issue of fact joined in any civil suit or action commenced in the said circuit courts respectively, in case such issue is not tried by a jury, to permit the evidence on such trial to be recorded and certified as aforesaid, although the sum or matter at issue may be less in value than 50*l.* sterling, provided it shall be made to appear to such judge that the judgment, decree, order, or sentence, which may be given, made, or pronounced in such suit or action, may be of such importance as to render it proper that an appeal should be permitted: and if, after giving or pronouncing such judgment, decree, or order, the said judge shall be of opinion that such judgment, decree or order is of such importance as to make it proper that an appeal should be permitted, it shall be lawful for the said judge to allow either of the said parties, plaintiff or defendant, to appeal to the supreme court, in like manner, and under and subject to the like rules and regulations, as in and by this act directed in other cases of appeal, 5 G. 4. c. 67. s. 13.

15. It shall be lawful for the plaintiff or plaintiffs, defendant or defendants, against whom any judgment, decree, or order of the said circuit courts respectively shall be given, for or in respect of any sum or matter at issue above or exceeding the value of 50*l.* sterling, to appeal therefrom to the said supreme court, and the party or parties appealing from such judgment, decree, or order, shall, within 14 days from the passing thereof, give notice to the adverse party or parties of such appeal, and within 14 days from and after such judgment, decree or order, enter into sufficient security, to be approved by the judges of the said circuit courts respectively, to satisfy or perform the said judgment, decree, or order, in case the same shall be affirmed, or the appeal dismissed, together with such further costs as shall be awarded thereon; and in all cases of appeal, where notice shall be given and security perfected as aforesaid, execution shall be stayed, and not otherwise; and the said supreme court shall and may enquire into, hear, and decide all questions, whether of law or of fact, arising upon any such appeal, but shall not admit or receive any evidence which was not tendered to the circuit court from which such appeal may be brought on the hearing or trial of any such suit or action therein: provided that the said supreme court shall not reverse, alter, or enquire into any judgment of the said circuit courts, founded on the verdict of a jury, except only for error of law apparent upon the record, 5 G. 4. c. 67. s. 14.

16. As often as any action or suit shall be brought in the supreme court, or in either of the said circuit courts respectively, and it shall be made to appear to the court before which such action or suit may be pending, that such action or suit may be more conveniently heard and determined either in the said supreme court or in some other of the said circuit courts, it shall be lawful for such court to permit and allow such action or suit to be removed to such other court, and such allowance shall be certified by the judge, together with the writ or process and proceedings in such action or suit, to the court into which such action or suit shall be intended to be removed; and thereupon it shall be lawful for such last-mentioned court, and such court is hereby required to proceed in such action or suit in like manner as if the same had been originally commenced and prosecuted in such last-mentioned court, 5 G. 4. c. 67. s. 15.

17. In all actions at law or suits in equity, which shall be brought in the said courts respectively, where the debt or sum demanded shall not be sworn to as herein-after mentioned, the defendant or defendants in such action or suit shall be made to appear to such action or suit by summons, to be issued by the chief judge of the said supreme court, or by the judges of the said circuit courts respectively, and served by the proper officer on the said defendant or defendants personally, or left at his, her, or their usual place of abode; and in all cases where such summons shall be disobeyed, or where the debt, damages, or thing demanded shall exceed 10*l.* sterling money, and shall be sworn to in an affidavit made by the plaintiff or plaintiffs, or his, her, or their lawful attorney, then the said defendant or defendants shall be made to appear by attachment of his, her, or their goods, debts, or effects, or by arrest of the person of the said defendant or defendants; and in case of his, her, or their goods, debts or effects being attached as aforesaid, such goods, debts, or effects, or so much thereof as shall be judged by the said court sufficient to satisfy the debt or damages, shall be held as security for such debt or damages, and shall abide the order, judgment, or decree of the court issuing such attachment, unless the defendant or defendants, or some person on his, her, or their behalf, shall appear and give good and sufficient bail, to be ap-

proved by such court, to satisfy such judgment, decree, or order; and where the defendant or defendants has or have been arrested, he, she, or they shall not be discharged out of custody until he, she, or they shall in like manner have given good and sufficient bail, to be approved by such court, to satisfy the judgment, decree, or order of the court in the cause in which such arrest was made; and it shall also be lawful for the said courts respectively, when any such action or suit as aforesaid shall be depending therein, to cause to appear from day to day all parties interested therein, and to examine upon oath any of such parties in case such examination shall appear to the said court necessary for the discovery of the truth, but not otherwise; and thereupon, and after due consideration of all circumstances of the case, to make such order, judgment, or decree therein, and award such damages and costs, as shall be just and equitable; and such order, judgment, or decree shall be enforced by attachment and sale of the goods, debts, and effects, or by arrest of the person or persons against whom such order, judgment, or decree shall be made, and imprisonment of such person or persons until such order, judgment, or decree shall be performed and satisfied, 5 G. 4. c. 67. s. 16.

18. It shall be lawful for H. M., his heirs and successors, by such charter or letters patent as aforesaid, or by any order or orders to be hereafter issued by and with the advice of his or their privy council, to make and prescribe, or to authorize and empower the said supreme court of *Newfoundland*, under such limitations as H. M. shall deem proper, to make and prescribe such rules and orders touching and concerning the forms and manner of proceeding in the said supreme court and circuit courts respectively, and the practice and pleadings upon all indictments, informations, actions, suits, and other matters to be therein brought; or touching or concerning the appointing of commissioners to take bail, and examine witnesses; the taking examinations of witnesses *de bene esse*, and allowing the same as evidence; the granting of probates of wills and letters of administration; the proceedings of the sheriff and his deputies, and other ministerial officers; the summoning of assessors for the trial of crimes and misdemeanors in the said circuit courts; the process of the said court, and the mode of executing the same; the impanelling of juries; the admission of barristers, attornies, and solicitors; the fees, poundage, or perquisites to be lawfully demanded by any officer, attorney, or solicitor in the said courts respectively; and all other matters and things whatsoever touching the practice of the said courts, as to H. M., his heirs and successors, shall seem meet for the proper conduct of business in the said courts; and such rules and orders from time to time to alter, amend, or revoke, as to H. M., his heirs and successors, shall seem requisite, 5 G. 4. c. 67. s. 17.

19. And whereas it is expedient to make further provision for the administration of justice on the coast of *Labrador*; be it further enacted, That so much of 51 G. 3. c. 45. s. 2. [Stat. Dig. this tit., pl. 4.], intituled, *An Act for taking away the public use of certain ships rooms, in the town of Saint John's in the island of Newfoundland, and for establishing surrogate courts on the coast of Labrador, and in certain islands adjacent thereto*, as relates to the institution of surrogate courts, shall be, and the same is hereby repealed; and that it shall be lawful for the governor or acting governor of *Newfoundland* for the time being, to institute a court of civil jurisdiction at any such parts or places on the coast of *Labrador*, or the islands adjacent thereto, which, in and by the said act, 51 G. 3. c. 45., are re-annexed to the government of *Newfoundland*, as occasion shall require; and such court shall be held by one judge, and shall be a court of record, and shall have jurisdiction, power, and authority to hear and determine all suits and complaints of a civil nature arising within any of the said parts and places on the coast of *Labrador*, or the islands adjacent thereto; and the said court shall be holden by a judge, who shall be appointed from time to time by the governor or acting governor of *Newfoundland*, and shall have a clerk and such other ministerial officers as the governor or acting governor shall appoint; and the proceedings of the said court shall be summary, and such forms of process, and such rules of practice and proceeding as shall be settled by the chief judge of the said supreme court, shall be followed by the said court, and no other, 5 G. 4. c. 67. s. 18.

20. It shall be lawful for the plaintiff or plaintiffs, defendant or defendants, against whom any judgment, decree, or order of the said court shall be given, for or in respect of any sum or matter at issue above 50*l.* sterling, or where the matter in dispute shall relate to the title to any lands, tenements, right of fishery, annual rent, or other matter, where, in the judgment of the said court, rights in future may be bound, to appeal therefrom to the said supreme court; and the party or parties appealing from such judgment, decree, or order, shall, within seven days from the passing thereof, give notice to the adverse party or parties of such appeal, and within 14 days from and after such judgment, decree, or order, enter into sufficient security, to be approved by the judge of the said court, or some person to be appointed by him for that purpose in his absence, to satisfy or perform the said judgment, decree, or order, in case the same shall be affirmed, or the appeal dismissed, together with

such further costs as shall be awarded thereon; and in all cases of appeal, where notice shall be given and security perfected as aforesaid, execution shall be stayed, and not otherwise, 5 G. 4. c. 67. s. 19.

21. It shall be lawful for H. M., by his said charter or letters patent, to allow any person or persons, feeling aggrieved by any judgment, decree, order, or sentence of the said supreme court, to appeal therefrom to H. M. in council, in such manner, within such time, and under and subject to such rules, regulations, and limitations, as H. M., by such charter or letters patent respectively, shall appoint and direct, 5 G. 4. c. 67. s. 20.

22. The governor or acting governor of *Newfoundland*, upon the arrival in the said colony of H. M.'s charter or letters patent for the establishment of the said courts by virtue of this act, shall by proclamation notify to the inhabitants of the said colony, the time when the said courts respectively shall be intended to be opened; and as soon as the judges of the said supreme court shall have assumed and entered upon the exercise of their jurisdiction therein, then and from thenceforth so much of the 49 G. 3. c. 27. [Stat. Dig. tit. NEWFOUNDLAND, pl. 3, 4. 6—16.], intituled, *An Act for establishing of courts of judicature in the island of Newfoundland, and in the island adjacent; and for re-annexing part of the coast of Labrador, and the islands lying on the said coast, to the government of Newfoundland*, as relates to the courts thereby instituted, and respectively called the supreme court of judicature of the island of *Newfoundland*, and surrogate courts, shall cease to be in force and determine; and every suit, action, complaint, matter, or thing, which shall be depending in such last-mentioned courts respectively, shall and may be proceeded upon in the supreme court instituted under and by virtue of this act, or either of the said circuit courts which shall have jurisdiction within the district or place in *Newfoundland* where such action or suit respectively was depending; and all proceedings which shall thereafter be had in such action or suit respectively, shall be conducted in like manner as if such action or suit had been originally commenced in one or other of the said courts instituted under this act; and all the records, muniments, and proceedings whatsoever, of and belonging to the said courts instituted under the said recited act respectively, shall, from and immediately after the opening of the said courts respectively instituted under this act, be delivered over and deposited for safe custody in such of the said courts respectively instituted under this act as shall be found most convenient, and all parties concerned shall and may have recourse to the said records and proceedings, as to any other records or proceedings of the said courts respectively, 5 G. 4. c. 67. s. 21.

23. Courts of general and quarter sessions shall be holden at *Newfoundland* and its dependencies at such times and places as the governor or acting governor of *Newfoundland* shall by his proclamation appoint; and the said courts of sessions respectively shall have power and authority, in a summary way, to take cognizance of all suits for the payment of debts not exceeding 40*s.*, except the matter in dispute shall relate to the title to any lands or tenements, or to the taking or demanding of any fee of office or annual rent, and to award costs therein; and also to hear and determine all disputes, to any amount, which may arise in *Newfoundland* concerning the wages of seamen, or fishermen, the supply of bait, the hiring of boats for the fishery, and all disputes arising in *Newfoundland* aforesaid concerning the curing or drying of fish, where the sum or matter in question does not exceed or is not of the value of more than 5*l.* sterling; and the judgment, determination, or award of the said courts of sessions or justices respectively, in all such cases, shall be final, 5 G. 4. c. 67. s. 22.

24. And whereas it is expedient to make provision for declaring insolvencies in *Newfoundland*; be it further enacted, That as often as any writ of attachment, or other process for the recovery of any debt or sum due, shall be issued by the said supreme or circuit courts respectively, against any person or persons residing or having a house of trade, or carrying on business in *Newfoundland*, or any place within the government thereof, and it shall be made to appear to the said court out of which such writ or process shall have issued, at the return thereof, that the person or persons against whom such writ or process hath issued is or are unable to pay 20*s.* in the pound to all his, her, or their creditors, it shall be lawful for such court to cause the person or persons against whom such process shall have issued, together with all his, her, or their creditors, to be summoned by public notice to attend the said court on a certain day, and in the meantime, if it shall appear necessary to the said court, to appoint one or more of the said creditors as provisional trustee or trustees, to discover, collect, and receive the estates and effects of such person or persons so appearing to be insolvent, subject to the orders and directions of the said court; and if after due examination of the person or persons against whom process shall have issued as aforesaid, or his, her, or their lawful agent or agents, or if such person or persons shall abscond, or fail to attend the said court pursuant to summons as aforesaid, it shall be made to appear to the satisfaction of the said court, that such person or persons is or are insolvent, it shall be

lawful for the said court to declare such person or persons insolvent accordingly, and immediately to take order for discovering, collecting, and selling the estates, debts, and effects of such insolvent, and distributing the produce thereof amongst all his, her, or their creditors, and for that purpose to authorize any two or more creditors of the said insolvent or insolvents, who shall be chosen by the major part in value of such creditors, or their agents duly authorized in such behalf, whose debts amount respectively to the sum of 20*l.* and upwards, to act as trustees of such insolvent estate; and such court shall from time to time make such orders as it shall deem proper, for better discovering, collecting, realizing, and distributing the estates, debts, and effects of the person or persons so declared insolvent, and, as often as occasion shall require, for vesting the same, or any part thereof, in the public funds or securities in *Eng.*, in the name or names of such person or persons as shall for that purpose be appointed by the said court, until distribution can be made, as hereafter mentioned, 5 *G. 4. c. 67. s. 23.*

25. If such insolvent person or persons shall make a full and true disclosure, discovery, and surrender of all his, her, or their estates, goods, debts, and effects, and shall conform to the orders and directions of the said judges of the said courts respectively, the same shall and may, with the consent in writing under the hands of one half in number and value of the creditors of such insolvent or insolvents, be certified by the respective judges, under the seal of the said courts respectively; and such certificate may be pleaded, and shall be a bar to every suit or action which may at any time thereafter be brought in any court in the said island or colony of *Newfoundland* or its dependencies, for any debt or contract for payment of money due or entered into by such person or persons prior to the time of his, her, or their being declared insolvent as aforesaid; and if any person or persons so declared insolvent as aforesaid shall fail to make a true disclosure and discovery of all his, her, or their estate or estates, and effects, or shall otherwise refuse to conform to the orders or directions of the said judges respectively, it shall be lawful for the said judges respectively to cause such person or persons to be arrested and imprisoned until he, she, or they shall make such disclosure and discovery, and in all respects conform to the orders of the said judges respectively, 5 *G. 4. c. 67. s. 24.*

26. In the distribution to be made of the produce of the estates and effects of every person or persons hereafter declared insolvent in *Newfoundland* or its dependencies as aforesaid, every creditor for supplies necessary, and furnished *bonâ fide* for the fishery, during the current season, (that is to say,) at any time after the close of the last preceding season of the fishery, shall be considered as a privileged creditor, and shall first be paid 20*s.* in the pound, so far as the estates and effects of such insolvent person or persons, which may be realized in *Newfoundland* or its dependencies, will go, and that all other creditors shall be paid equally and rateably: provided that nothing in this act contained shall affect the prior claims of seamen and other servants, actually employed in the catching and taking of fish and oil, upon all fish and oil caught by the hirers or employers of such seamen, fishermen, or servants, or the produce or value thereof; and also provided that menial or domestic servants shall in all cases be paid the balance of their last preceding year's wages, out of the household furniture, goods, and effects of every person so declared insolvent, 5 *G. 4. c. 67. s. 25.*

27. And whereas it is expedient that the estates and effects of deceased persons which may not be sufficient to pay all their just debts should be distributed according to the manner herein directed concerning the estates and effects of persons declared insolvent; be it further enacted, that as often as any person shall die in *Newfoundland*, or in any place, or seas, or territory within the government thereof, and the estates and effects of such person shall not be sufficient to pay and satisfy all his or her just debts, it shall be lawful for the said courts respectively, at the petition of the executor or executors, administrator or administrators of such deceased person, or any one or more of his or her creditors, to cause a true statement of the effects and debts of such deceased person to be made in writing by and upon the oath of the said executor or executors, administrator or administrators, and laid before the said courts respectively; and if it shall appear to the court before which such statement shall be laid, that the estate and effects of such deceased person are not sufficient to pay all his or her just debts, it shall be lawful for such court to authorize and empower the executor or executors, administrator or administrators of such deceased persons to collect, sell, and dispose of all the estates and effects of such deceased person, and to distribute the produce thereof amongst his or her creditors, according to the manner of distribution by this act directed in respect of the estates of persons declared insolvent, and always subject to the orders and directions of such court: provided that nothing herein contained shall be construed to affect the right of any creditor having a judgment or special security for his or her debts, 5 *G. 4. c. 67. s. 26.*

28. And whereas it is expedient that provisions should be made for the registration, within the said colony of *Newfoundland*, of all deeds, wills, and other assurances, whereby any lands or tenements therein

situate may be granted, conveyed, devised, mortgaged, charged, or otherwise affected; be it further enacted, that the chief clerk of the supreme court of *Newfoundland* shall be also the registrar of deeds within the district or circuit in which the town of *St. John's* may be situate, and that the chief clerks of each of the circuit courts to be holden in and for the two other districts of the said colony, shall respectively be the registrars of deeds within such other districts or circuits; and in each of the said three districts an office shall be kept by such chief clerk respectively, for the due registration of all such deeds, wills, and other instruments as aforesaid, 5 *G. 4. c. 67. s. 27.*

29. All deeds, wills, conveyances, and other assurances in writing, of what nature or kind soever, whereby any lands or tenements situate in the said colony, or the dependencies thereof, may be hereafter granted, conveyed, devised, mortgaged, charged, or otherwise affected or intended so to be, shall be registered at the office of registration within the district or circuit in which such lands may be situate; and that all such deeds, conveyances, and other assurances as aforesaid, shall be left for registration at such office within six months next after the execution thereof, by the party or parties from whom any interest may pass, in case such party or parties may, at the time of such execution thereof by him, her, or them, be resident within the said colony or its dependencies, or within 12 months in case such party or parties may at that time be resident elsewhere; and all such wills as aforesaid shall be left for registration at such office 12 months next after the death of the testator or testatrix, 5 *G. 4. c. 67. s. 28.*

30. Some or one of the parties executing any such deed, conveyance, or other assurance as aforesaid, shall appear before the registrar of deeds, and acknowledge the execution thereof by them, him, or her, or in case none of the parties to any such deed, conveyance, or assurance shall be resident in the said colony, then the same shall be acknowledged before the said registrar of deeds, by some person duly appointed for that purpose as the attorney of such parties; and in that case the execution of every such deed, conveyance, or other assurance, shall be further verified by an affidavit to be sworn before the mayor or other principal magistrate of any city, town, or place in or near to which such parties respectively may be resident; and such affidavit shall also be preserved and registered at the office of the said registrar of deeds, 5 *G. 4. c. 67. s. 29.*

31. The registrar of deeds shall and he is hereby required to indorse and subscribe, on every such deed, conveyance, or other assurance, a certificate, in which shall be expressed the day or time when the same was so acknowledged before him, and the names of the person or persons by whom such acknowledgment was made, and the time when the same was actually registered, and the volume and page in which the registry thereof is entered; and every such certificate so indorsed or subscribed shall be taken and allowed as evidence of the due registration of any such deed, conveyance, or assurance, 5 *G. 4. c. 67. s. 30.*

32. The registrar of deeds shall and he is hereby required to enter in a book of registry, to be by him regularly kept for that purpose, a memorial of every deed, conveyance, or assurance which shall be so acknowledged before him; and every such memorial shall contain a statement of the year and day of the month on which such deed, conveyance, or assurance shall bear date, the names and additions of all and every the parties, as well as the names and additions, if any, of the several subscribing witnesses thereto, the descriptions at length of the lands or tenements conveyed or intended to be conveyed, charged, or affected by such deed, conveyance, or assurance, as the same are therein described, and the consideration of every such deed, conveyance, or assurance, as the same may be therein stated; all which memorials shall be entered and recorded in the said book of registry with all convenient dispatch, in the order of time in which the same may have been acknowledged before the said registrar, 5 *G. 4. c. 67. s. 31.*

33. Every deed, conveyance, or assurance hereafter to be made, whereby any lands or tenements situate in *Newfoundland*, or the dependencies thereof, shall be granted, conveyed, released, charged, or incumbered, or intended so to be, which shall not be registered within the time and in the manner herein-before mentioned, shall be absolutely null and void to all intents and purposes: provided, that every such deed, conveyance, or assurance shall be deemed and taken to be a registered deed, conveyance, or assurance within the meaning of this act, from the time when the execution thereof shall be acknowledged in manner aforesaid, before such registrar of deeds as aforesaid, 5 *G. 4. c. 67. s. 32.*

34. The judges of the supreme court of *Newfoundland* shall be and they are hereby authorized to make any general rules and orders of court for maintaining order and regularity in the mode of taking such acknowledgments, and registering such deeds, wills, conveyances, and other assurances as aforesaid, and for executing the duties of said office of registrar of deeds; provided that such rules and orders be not in anywise repugnant to the provisions of this present act in that behalf, 5 *G. 4. c. 67. s. 33.*

35. And whereas the justices of the peace in *Newfoundland* have been

used to grant licences for the retail of ale and spirituous liquors, and it is proper to regulate the sums to be demanded upon such licences, and to make provision for the appropriation thereof, and for preventing abuses in the granting of such licences, and in the sale of spirits by unlicensed persons in the said colony; be it therefore enacted, That it shall be lawful for the governor or acting governor of *Newfoundland* to make, establish, and ordain such rules and ordinances as to him may seem meet, respecting the granting of such licences, and the recalling the same, and the amount of the sums to be demanded and taken for every such licence, and the appropriation of such sums to H. M.'s service in the said colony, and for preventing the retail of ale and spirituous liquors by persons not duly licensed, and to impose such pecuniary fines or other penalties as may be necessary for enforcing obedience to any such rules or ordinances as aforesaid, 5 G. 4. c. 67. s. 34.

36. It shall be lawful for H. M., by charter or letters patent under the great seal, to constitute and erect such persons as to H. M. shall seem meet a body or bodies corporate and politic, for the government of any town or towns situate within the said colony of *Newfoundland* or its dependencies, and to grant to such body or bodies politic and corporate, power to make bye-laws for regulating the police of any such town or towns, and for the prevention or abatement of nuisances therein, and for the prevention of accidents by fire; and also to grant to any such body or bodies politic and corporate as aforesaid, the power to impose and levy such reasonable and moderate rates and assessments upon the inhabitants and householders in such town or towns, as may be necessary for carrying into effect the several purposes aforesaid, or any of them; and it shall also be lawful for H. M., his heirs and successors, by any order or orders to be made by or with the advice of his or their privy council, to dissolve any such corporation or corporations as aforesaid, upon and subject to such conditions and regulations as may be made in and by any such order or orders in that behalf, 5 G. 4. c. 67. s. 35.

37. To repeal an act passed in the 57th year of the reign of his late Majesty King George the Third, intituled, *An Act to regulate the celebration of marriages in Newfoundland*; and to make further provisions for the celebration of marriages in the said colony and its dependencies, 5 G. 4. c. 68. [To be in force for five years from the passing thereof, viz. 17th June 1824. s. 10.]

38. Whereas it is expedient that 57 G. 3. c. 51. [Stat. Dig. tit. MARRIAGE, pl. 36—41.] intituled, *An Act to regulate the celebration of marriages in Newfoundland*, should be repealed, and that further and more effectual provisions should be made for the celebration of marriages in *Newfoundland*; be it therefore enacted, That from and after 25th March 1825, the said recited act of the 57th year of the reign of His said late Majesty, shall be, and the same is hereby repealed: provided, that all marriages which have taken place at any time before the passing of this act in *Newfoundland*, and which have not been declared and adjudged to be void or valid by any court of competent jurisdiction, and all marriages which shall take place in *Newfoundland* previously to the 25th March 1825, shall be and the same are hereby declared to be as good and valid as if the said recited act had not been passed or made; any thing in the said recited act to the contrary notwithstanding, 5 G. 4. c. 68. s. 1.

39. All marriages which may hereafter be had in *Newfoundland* shall be celebrated by persons in holy orders, except in the cases herein-after specially excepted and provided for, 5 G. 4. c. 68. s. 2.

40. And whereas by reason of the great extent of the said island of *Newfoundland*, and the want of internal communication between the different parts of the said island during the greater part of the year, difficulties have arisen with respect to the solemnization of marriages in various settlements and stations there, and it is expedient that temporary provision be made for the legal solemnization of marriages in such settlements or stations as aforesaid; be it therefore enacted, That it shall be lawful for one of H. M.'s principal secretaries of state, or for the governor or acting governor for the time being of the colony of *Newfoundland*, to grant licences or a licence to celebrate marriages within the said colony or its dependencies, to any persons or person who shall employ themselves or himself solely in the duties of a teacher or preacher of religion in the said colony, and who shall not follow or engage in any trade or business, or other profession, occupation or employment, for their or his livelihood, except that of a schoolmaster: provided always, that no such licence shall be granted to any such persons or person, unless they or he shall first have taken the oath, and subscribed the declaration specified in the 52 G. 3. c. 155. [Stat. Dig. tit. NONCONFORMIST, pl. 27.] intituled, *An Act to repeal certain acts and amend other acts relating to religious worship and assemblies, and persons teaching or preaching therein*, and shall have produced a cer-

tificate thereof to H. M.'s said principal secretary of state, or to the governor or acting governor of *Newfoundland*, or unless such persons or person shall take the said oath, and subscribe the said declaration before the governor or acting governor of the said colony, who is hereby authorized and required to administer such oath, and to tender such declaration to the persons or person requiring to take and make and subscribe the same, 5 G. 4. c. 68. s. 3.

41. It shall be lawful for any person, to whom any such licence as aforesaid shall be granted to celebrate marriages between any persons resident in the said colony of *Newfoundland* or its dependencies, in any case where, by reason of the difficulty of the internal communication between different parts of the said colony or its dependencies the woman about to be married could not, without inconvenience, repair from her ordinary place of abode, for the purpose of contracting such marriage, to some church or chapel of or belonging to the established church of *Eng.* wherein divine service is regularly performed; and if any such person as aforesaid shall celebrate any marriage by virtue of any such licence, in any case wherein such inconvenience as aforesaid shall not exist, the person so offending shall become liable to the payment of a fine not less than 10*l.* nor more than 50*l.* *British* sterling money, and shall forfeit and be deprived of such his licence: provided that every marriage actually celebrated within the said colony, or its dependencies, by any person having any such licence as aforesaid, shall be good and valid to all intents and purposes, and shall not be rendered invalid by reason of any such illegality as aforesaid, on the part of the person celebrating the same, 5 G. 4. c. 68. s. 4.

42. No such person to whom any such licence may be so granted as aforesaid shall celebrate or perform marriages between any persons in *Newfoundland* except in the presence of two credible witnesses, and if any such person shall celebrate or perform any marriage between any persons in *Newfoundland* except in the presence of two credible witnesses, he shall incur and become liable to pay a fine of not less than 10*l.* nor more than 50*l.* *British* sterling money, but the want of such witnesses shall not invalidate the marriage, 5 G. 4. c. 68. s. 5.

43. Every person by whom any marriage shall be celebrated or performed in *Newfoundland* at any time after the 25th March 1825, shall, under the penalty of 5*l.* *British* sterling money, within 12 calendar months next following such marriage, deliver or cause to be delivered to the secretary of the governor or acting governor of the island, or to the incumbent or officiating minister of some church or chapel of the established church of *Eng.*, in the towns of *St. John's Harbour*, *Grace in Conception Bay*, or *Trinity Harbour* in *Trinity Bay*, in the said island, a certificate thereof in writing, subscribed with his own name, and with the names or marks of the parties married, together with the names of two credible witnesses present at such marriage; and every such certificate shall be made in form following; (that is to say),

' Marriage solemnized at — in the island of *Newfoundland* :

' This is to certify, That A. B. [the man married] of — and C. D. [the woman married] of — were married at — this — in the year of our Lord — by me, —

E. F.

[Clergyman in Holy Orders, or Preacher licensed to celebrate Marriages.]

' This marriage was solemnized between us, { A. B. and C. D.

' In the presence { G. H. of I. K. of } Witnesses present at the of us, said marriage.

5 G. 4. c. 68. s. 6.

44. Whenever any such certificate of marriage as aforesaid shall be delivered to the secretary of the governor, or to the incumbent or officiating minister of any such church or chapel of the established church of *Eng.* as aforesaid, he shall, within seven days next after the receipt of every such certificate, and upon the payment or tender to him of 1*s.* and no more, enter a true copy thereof in a public book or register of marriages, to be by him kept for that purpose; and such public book or register shall be kept and remain at the office of the said secretary, or at such church or chapel of the established church, and shall be open to the inspection of any person requiring to consult or examine the same, at all convenient hours; and the said secretary, or the said incumbent or officiating minister shall make and deliver to every person who shall demand the same, a true copy of any entry contained in the said public book or register of marriages, attested by him, in the form following; (that is to say),

' A true copy, extracted from the public register of marriages of the secretary's office, or of the church or chapel of — in *Newfoundland*, by me,

K. L. government secretary, or incumbent, or officiating minister of such church or chapel.'

And the said government secretary, or the said incumbent or officiating minister, shall carefully preserve and file all the original certi-

cates of marriage, so that reference may be had to the same in like manner as to the said register, 5 G. 4. c. 68. s. 7.

45. Any such public book or register of marriages in *Newfoundland*, or such attested copy of any entry in any such book or register, the hand-writing of the said government secretary, or of the attesting minister being duly proved, shall be deemed and taken to be, and shall for all purposes be received as sufficient evidence of the due celebration of any marriage in *Newfoundland*, which by such book or register, or by such attested copy, shall appear or purport to have been celebrated; and every such marriage shall, upon the production of such book or register, or of such attested copy, and proof as aforesaid, be deemed to have been duly celebrated, 5 G. 4. c. 68. s. 8.

46. Provided nothing in this act contained relating to marriages in *Newfoundland* shall extend to any marriages amongst the people called *Quakers*, or amongst the persons professing the *Jewish* religion, where both the parties to such marriage shall be *Quakers*, or persons professing the *Jewish* religion, 5 G. 4. c. 68. s. 9.

NEW HOLLAND AND NEW SOUTH WALES.

1. For granting certain powers and authorities to a company to be incorporated by charter, to be called "The *Australian Agricultural Company*," for the cultivation and improvement of waste lands in the colony of *New South Wales*, and for other purposes relating thereto, 5 G. 4. c. 86.

2. To continue until 1st Jan. 1824 the 59 G. 3. c. 114. [Stat. Dig. this title, pl. 15.] to authorize the imposing and levying other duties on goods imported into the said colony, and to suspend for ten years the payment of duty on the importation of certain goods the produce of *New South Wales*, 3 G. 4. c. 96. [THE 59 G. 3. c. 114. MADE PERPETUAL, 4 G. 4. c. 96. s. 28.]

3. The 59 G. 3. c. 114. as continued by 1 & 2 G. 4. c. 8. further continued, except so far as the same are hereby altered, until 1st Jan. 1824, 3 G. 4. c. 61. s. 1. and MADE PERPETUAL, 4 G. 4. c. 96. s. 28.

4. From and after the passing of this act [30th July 1822], it shall be lawful for the governor, or other person administering the government of *New South Wales* for the time being, to impose by any proclamation made, or order or orders issued, in the said colony for that purpose, the several respective rates and duties following; that is to say, upon the importation into the said colony, or any of the settlements or dependencies thereof, or belonging thereto, or under the controul or administration of the governor or person exercising the government of the said colony and its dependencies, of all spirits, the produce and manufacture of the U. K., or rum, the produce of H. M.'s plantations in the *West Indies*, imported directly from the U. K., a duty not exceeding the amount of 10s., and of all other spirits a duty not exceeding the amount of 15s. upon each gallon of spirits so imported, and so in proportion for any greater or lesser quantity: and upon the importation of all tobacco, a duty not exceeding 4s. for and upon each pound weight so imported into the said colony, and so in proportion for any greater or less quantity; and upon the importation of all goods, wares, and merchandizes, not being the growth, produce, or manufacture of the U. K. of G. B. and Ire., imported directly from some port in the U. K., a duty not exceeding 15l. upon every 100l. in value of the goods, wares, and merchandizes so imported, and so in proportion for any greater or less value, 3 G. 4. c. 96. s. 2.

5. It shall be lawful for the governor, or other person administering the government of *New South Wales*, by any proclamation, or order or orders, to be by him for that purpose issued, to discontinue or reduce any such duties from time to time as occasion may require, and also from time to time to revive any duties so discontinued or reduced, and again to levy the same: provided, that it shall not be lawful for any governor, or other person administering the government of the said colony, to order the levying or raising of any higher rate of duty than is authorized by this act, 3 G. 4. c. 96. s. 3.

6. It shall be lawful for the governor, or other person for the time being administering the government of the said colony, to make such rules and regulations as to him may seem fit and proper, for the more effectual collection and levying of all or any of the said rates and duties, and for that purpose to impose such reasonable fines and other penalties as may be necessary for enforcing the due and punctual payment thereof; and from time to time to alter or vary any such rules and regulations, or fines or penalties, or make any new or other rules and regulations, or fines or penalties: provided, that the said governor shall transmit true copies, duly authenticated, of all such rules and regulations, fines and penalties, and of all alterations thereafter made therein,

to one of H. M.'s principal secretaries of state, for H. M.'s approbation 3 G. 4. c. 96. s. 4.

7. Every governor or other person administering the government of the said colony, who had heretofore received or shall hereafter receive any sum or sums of money arising from any rates and duties which have been or which may hereafter be raised and levied within the said colony, or any of the settlements or dependencies thereof, shall account to H. M. for the same, and for the due application thereof, through the lord high treasurer or commissioners of H. M.'s treasury of the U. K. of G. B. and Ire., in such manner, and at such times, and under such rules and regulations as to the examination and audit of such accounts, as the said lord high treasurer or commissioners of H. M.'s treasury, or any three or more of them, shall order and direct in that behalf, 3 G. 4. c. 96. s. 5.

8. And whereas 59 G. 3. c. 52. was passed, intituled, *An Act to repeal the several duties of customs payable in G. B., and to grant other duties in lieu thereof*: and whereas, by the said act, a duty of customs of 3d. the pound is granted from the 5th Jan. 1823, until the 5th Jan. 1826; and from and after the 5th Jan. 1826, a duty of customs of 6d. the pound upon sheep or lambs' wool, the produce of, and imported directly from any *British* colony or territory; and a duty of 3s. the cwt. upon solid vegetable extract from oak bark, or other vegetable substances, to be used for the purpose of tanning leather, and for no other purpose whatsoever; and a duty of 1l. 10s. upon teake wood or other wood, fit for ship building, eight inches square or upwards, the load, containing 50 cubic feet: and whereas, it is expedient to suspend the payment of such duties as to such articles, the growth or produce of *New South Wales*, and settlements and dependencies thereof, for a limited period: be it therefore enacted, That for the period of 10 years, from and after the 1st Jan. 1823, no higher duty of customs than 1d. per pound shall be charged, or payable, or paid for, or upon the importation into the U. K. of any sheep or lambs' wool, the produce of *New South Wales*, or any of the settlements or dependencies thereof, and duly certified as such by the proper officers of customs, and imported directly from the said colony; and during such period of 10 years the said duty of customs upon extract from bark shall not be charged or payable, or paid for or upon the importation into the U. K. of any such solid vegetable extract from bark or other vegetable substances, to be used for the purpose of tanning leather, and for no other purpose whatsoever, the produce of the colony, duly certified as such by the proper officer of customs, and imported directly from the said colony; and during the said period of 10 years, the said duty of customs of 1l. 10s. upon teake wood, or other wood fit for ship building, eight inches square or upwards, the load, containing 50 cubic feet, shall not be charged upon the importation into the U. K. of any timber, the growth or produce of the said colony, duly certified as such by the proper officers of customs, and imported directly from the said colony, any thing in the said recited act or acts of parliament relating to the said duties to the contrary notwithstanding, 3 G. 4. c. 96. s. 6.

9. In all cases where by virtue of this act the duties imposed upon the importation of articles into the said colony of *New South Wales* and its dependencies, are charged not according to the weight, gauge, or measure, but according to the value thereof, such value shall be ascertained by the declaration of the importer or proprietor of such articles, or his known agent or factor, in manner and form following; viz.

'I, A. B., do hereby declare, that the articles mentioned in the entry, and contained in the packages [here specify the several packages, and describe the several marks and numbers, as the case may be], are of the value of —

Witness my hand, the — day of —

A. B.

'The above declaration, signed the — day of — in the presence of

C. D. naval officer.

which declaration shall be written on the warrant of entry of such articles, and shall be subscribed with the hand of the importer or proprietor thereof, or his known agent or factor, in the presence of the naval officer, or other principal officer of the customs at the port of importation; provided, that if upon view and examination of such articles by such officer or officers, it shall appear to him or them that the said articles are not valued according to the true price or value thereof, and according to the true intent and meaning of this act, then and in such case the importer or proprietor, or his known agent or factor, shall be required to declare on oath, before the naval officer at the port of importation (which oath he is hereby authorized and required to administer), what is the invoice price of such articles, and that he verily believes such invoice price is the current value of the articles at the place from whence the said articles were imported, and such invoice price, with the addition of 10l. per centum thereon, shall be deemed and taken to be the value of the articles in the said colony and its dependencies, in lieu of the value so declared by the importer or proprietor, or his known agent or factor, and upon which the duties specified in this act shall be charged and paid; provided also, that if it shall appear to the naval officer, or other chief officer of the customs, that such

articles have been invoiced below the real and true value thereof, at the place from whence the same was imported, or if the invoice price is not known, the articles shall in such case be examined by two competent persons, to be nominated and appointed by the governor or commander-in-chief of the said colony, and such persons shall declare on oath before the naval officer or chief officer of the customs, what is the true and real value of such articles in the said colony, and the value so declared on the oath of such persons shall be deemed to be the true and real value of such articles, and upon which the duties specified in this act shall be charged and paid, 3 G. 4. c. 96. s. 7.

10. If the importer or proprietor of such articles shall refuse to pay the duties hereby imposed thereon, it shall and may be lawful for the naval officer or other chief officer of the customs where such articles shall be imported, and he is hereby required to take and secure the same, with the casks or other package thereof, and to cause the same to be publicly sold within the space of 20 days at the most after such refusal made, and at such time and place as such officer shall, by four or more days public notice, appoint for that purpose; which articles shall be sold to the best bidder, and the money arising by the sale thereof shall be applied, in the first place, in payment of the said duties, together with the charges that shall have been occasioned by the said sale, and the overplus, if any, shall be paid to such importer or proprietor, or any other person authorized to receive the same, 3 G. 4. c. 96. s. 8.

11. From and after the 1st Jan. 1823, it shall not be lawful to import into any port or place in the colony of *New South Wales* or its dependencies, any spirits that shall be of a greater strength than seven per centum above hydrometer proof, the strength of the said spirits to be ascertained and determined by such officer or officers as the governor, or the person administering the government, shall appoint, 3 G. 4. c. 96. s. 9.

12. To provide, until the 1st July 1827, and until the end of the next session of parliament, for the better administration of justice in *New South Wales* and *Van Diemen's Land*, and for the more effectual government thereof; and for other purposes relating thereto. 4 G. 4. c. 96. [To continue in force until 1st July 1827, and from thence until the end of the then next session, s. 45. AMD. as to s. 19. by 6 G. 4. c. 69. s. 3.]

13. Whereas it is expedient to make further and more effectual provision for the administration of justice in H. M.'s colony and settlements in *New South Wales* and *Van Diemen's Land* respectively: be it therefore enacted, That it shall be lawful for H. M., his heirs and successors, by charters or letters patent under the great seal of the U. K. of G. B. and Ire., to erect and establish courts of judicature in *New South Wales* and *Van Diemen's Land* respectively, which shall be styled "The Supreme Court of *New South Wales*," and "The Supreme Court of *Van Diemen's Land*;" and that each of such courts respectively shall be holden by one judge or chief justice, and shall have such ministerial or other officers as shall be necessary for the administration of justice in the said courts respectively, and for the execution of the judgments, decrees, orders, and process thereof; and the said judges shall from time to time be appointed by H. M., his heirs and successors; and the said ministerial and other officers of the said courts respectively shall from time to time be appointed to and removed from their respective offices in such manner as H. M., his heirs and successors, shall by such charters or letters patent as aforesaid direct; and the said judges shall respectively be entitled to receive such reasonable salaries as H. M., his heirs and successors, shall approve and direct, which salaries shall be in lieu of all fees or other emoluments whatsoever; and it shall be lawful for H. M., his heirs and successors, from time to time as occasion may require, to remove and displace any such judge or chief justice, and in his place and stead to appoint another fit and proper person: provided nevertheless, that if it shall at any time hereafter appear to H. M., his heirs and successors, expedient to augment the number of the judges of either of the courts of judicature aforesaid, then and in that case it shall be lawful for H. M., his heirs and successors, from time to time as occasion may require, by commission under his or their royal sign manual, to augment the number of judges of both or either of the said courts to three, and to grant to such additional judges such reasonable salary or salaries as to H. M., his heirs and successors, shall seem meet, and which shall be in lieu of all fees and emoluments whatever; provided also, that in case of the absence or death of any or either of the judges of the said courts in *New South Wales* or *Van Diemen's Land* respectively, or in case of any such disease or infirmity as shall render any such judge permanently incapable of discharging the duties of his office, it shall be lawful for the governor or acting governor of *New South Wales* to appoint some fit and proper person to act in the place and stead of any judge so being absent, dying, or becoming permanently incapable, until such judge shall return to the execution of his office, or until a succes-

sor shall be appointed by H. M., as the case may require; and in the meantime until such judge shall return as aforesaid, or a successor shall be appointed, and shall actually enter on the discharge of his office in the said courts respectively, the person so to be appointed by the governor or acting governor as aforesaid shall have and exercise all the jurisdiction, powers, and authorities belonging to or vested in the judges of the said courts respectively, 4 G. 4. c. 96. s. 1.

14. The said courts respectively shall be courts of record, and shall have cognizance of all pleas, civil, criminal, or mixed, and jurisdiction in all cases whatsoever, as fully and amply in *New South Wales* and *Van Diemen's Land* respectively, and all and every the islands and territories which now are or hereafter may be subject to or dependant upon the respective governments thereof, as H. M.'s courts of K. B., C. P., and exchequer at *Westminster*, or either of them, lawfully have or hath in *Eng.*; and the said courts respectively shall also be at all times courts of oyer and terminer, and general gaol delivery, in and for *New South Wales* and *Van Diemen's Land*, and the dependencies thereof respectively; and the said judges so appointed shall have and exercise such and the like jurisdiction and authority in *New South Wales* and *Van Diemen's Land*, and the dependencies thereof respectively, as the judges of the courts of K. B., C. P., and exchequer in *Eng.*, or any of them, lawfully have and exercise, and as shall be necessary for carrying into effect the several jurisdictions, powers, and authorities committed to the said courts respectively, 4 G. 4. c. 96. s. 2.

15. The said supreme courts in *New South Wales* and *Van Diemen's Land* respectively shall inquire of, hear, and determine all treasons, piracies, felonies, robberies, murders, conspiracies, and other offences of what nature or kind soever committed or that shall be committed upon the sea, or in any haven, river, creek, or place where the admiral or admirals have power, authority, or jurisdiction, or committed or that shall be committed in the islands of *New Zealand*, *Otaheite*, or any other island, country, or place, situate in the *Indian* or *Pacific Oceans*, and not subject to H. M., or to any *European* state or power, by the master or crew of any *British* ship or vessel, or any of them, or by any *British* subject sailing in or belonging to, or that shall have sailed in or belonged to and have quitted any *British* ship or vessel to live in any part of the said islands, countries, or places, or that shall be there living; and that all persons convicted of any of the offences so to be inquired of, heard, and determined in the said courts respectively, shall be subject and liable to and shall suffer all such and the same pains, penalties, and forfeitures as by any law now in force persons convicted of the same respectively would be subject and liable to in case the same were respectively inquired of, tried, heard, determined and adjudged in *Eng.*, 4 G. 4. c. 96. s. 3.

16. All crimes, misdemeanors, and offences cognizable in the said courts respectively, shall be prosecuted by information in the name of H. M.'s attorney general, or other officer duly appointed for such purpose by the governor or acting governor aforesaid, and all issues of fact joined on every such information shall be tried by the respective judges of the said courts, and a jury of seven commissioned officers of H. M.'s sea or land forces, whether on full or half pay; and such jurors shall from time to time be nominated for the purpose aforesaid by the governor or acting governor of *New South Wales* or *Van Diemen's Land* respectively for the time being; and the said officers shall severally be liable to be challenged or objected to upon the special ground of direct interest or affection, to be specified in open court at the time of challenge; and in case of such challenge or objection being allowed by the judges of the said respective courts, the officer or officers so challenged or objected to shall be succeeded by another, such officer or officers as aforesaid, who shall in like manner be nominated by the governor or acting governor for the time being as aforesaid, and be liable in the same manner to challenge or objection, until seven officers shall appear duly qualified for the trial of any offender in the said courts respectively, and the said officers shall thereupon severally take and repeat in open court the same oath as is taken by petit jurors impanelled for the trial of any crime or misdemeanor in any court of record in *Eng.*; and shall return their verdict in open court, by the mouth of the senior officer serving on such jury; and the proceedings of the said court respectively shall be under the controul and direction of the respective judges thereof; and all matters of law arising in the course of trial shall be determined by such judges respectively, and the judgment of the said courts respectively shall be pronounced by them in the manner by law established on the trial of persons indicted in any court of record in *Eng.*: provided nevertheless, that if at the time of the meeting of the supreme court of *Van Diemen's Land* there should not be seven commissioned officers of H. M.'s sea or land forces within the distance of 50 miles from the place of holding such court, or in case of the sickness of any such officers, the person administering the government of *Van Diemen's Land* shall nominate such magistrates of the said island, or of any district or county of the said island, as to him shall seem meet, to act as jurors on the trials of such crimes, misde-

meanors, or offences as aforesaid, together with such and so many commissioned officers as aforesaid, as may then be within such distance as aforesaid, and competent to act upon such jury, so as that there may in every case be a complete jury of seven men for the trial of the said crimes, misdemeanors, and offences; and the magistrates so to be appointed by the person administering the government of *Van Diemen's Land* shall be liable to be challenged or objected to in such and the same manner, and shall, if necessary, be succeeded by some other magistrates to be nominated by the person administering the government of the said island, and shall severally take and repeat such oath as is herein-before directed with respect to the said commissioned officers of H. M.'s sea and land forces, 4 G. 4. c. 96. s. 4.

17. It shall be lawful for H. M., his heirs and successors, by his or their instruction under his or their royal sign manual, at any time hereafter to authorize the governor or acting governor of *New South Wales* for the time being, to convene a court or courts, as often as occasion may require, for the trial of all crimes and misdemeanors committed within any place or places in *New South Wales* or *Van Diemen's Land*, or the dependencies thereof, which by any order in council to be for that purpose issued as after mentioned shall be appointed for the reception for transported felons and other offenders; which court or courts shall be of record, and shall have and exercise all the powers and authorities incident and belonging to a court of record, and shall consist respectively of a judge to be appointed by H. M., his heirs and successors, and such and so many proper persons, not fewer than three, or more than five, as shall be appointed for such purpose by such governor or acting governor, by commission to be duly made and executed under his hand and seal; and such persons shall be sworn in such and the like form, and the verdict of the whole of such persons shall be taken and recorded in such and the like manner, and the proceedings of the said last-mentioned court or courts shall be superintended and the judgments thereof pronounced by the judge or judges presiding at every such trial, according to such and the like law and usage as is herein-before directed with respect to the trials of persons prosecuted before the said supreme courts of judicature of *New South Wales* and *Van Diemen's Land* respectively; and in all cases where the offence charged against any person indicted before any such court or courts so to be established in any such place as aforesaid, shall not be punishable with death, the judge or judges of the said court or courts respectively shall, and he and they is and are hereby authorized to adjudge the offender to any corporal punishment not extending to life or limb, as the circumstances of the case may require: provided that the particulars and grounds of every such sentence shall in all cases be made known by the judge or judges of the said last-mentioned court or courts respectively to the governor or acting governor of *New South Wales* or *Van Diemen's Land*, as the case may be, for his approbation, 4 G. 4. c. 96. s. 5.

18. In any actions at law to be brought in the said supreme courts of *New South Wales* and *Van Diemen's Land* respectively, whenever the parties plaintiff and defendant in any such action shall join issue on any matter of fact, the trial of such issue shall be by the chief judge of the said courts respectively, and by two assessors, being magistrates or justices of the peace in and for the said colony, or some county or district thereof; and the said magistrates shall be nominated from time to time for the purpose aforesaid by the governor or acting governor for the time being of *New South Wales* and *Van Diemen's Land* respectively, and shall be liable to challenge upon such and the same grounds as may lawfully be alleged as causes of challenge against any person impanelled as a juror, for the trial of any issue of fact joined between the parties in any action depending in any of H. M.'s courts of record at *Westminster*, and such challenges shall be made in open court, and decided by the judges of the said supreme courts respectively; and in case any such challenge shall be allowed, another justice of the peace shall be nominated in manner aforesaid in the place of the justice against whom such challenge shall have been so allowed, who may in like manner be challenged, until two justices shall appear competent to act as assessors of the court upon the trial of the said issue; and the said two assessors shall thereupon severally take and repeat in open court such and the same oath as is taken by any juror sworn upon the trial of any issue of fact in any of H. M.'s said courts of record at *Westminster*, and the judges of the said supreme courts respectively shall, together with the said two assessors, give their verdict upon every such issue as aforesaid; and in case any such judge and assessors cannot agree upon such verdict, the verdict of the major part of them shall be taken, entered, and recorded as the verdict of all: provided always, that if the parties, plaintiff and defendant in any such action, shall be desirous of having any such issue of fact as aforesaid tried by a jury of 12 men, and shall concur in an application for that purpose to the judges of the said supreme courts respectively, then such issue of fact shall be tried by a jury, under the direction of the said judges respectively, 4 G. 4. c. 96. s. 6.

19. No person shall be deemed competent to serve upon any jury as

aforesaid, who shall not have and possess a freehold estate of 50 acres or more of cleared land, or a freehold dwelling-house or tenement of the value of 500*l.* sterling or upwards, situate in some part of *New South Wales* or *Van Diemen's Land* respectively, 4 G. 4. c. 96. s. 7.

20. It shall be lawful for H. M., his heirs and successors, by any order to be by him or them issued with the advice of his or their privy council, at any time or times hereafter, to cause the trial by jury to be further introduced and applied in such parts of *New South Wales* and *Van Diemen's Land*, and their respective dependencies, at such time, in such cases, and with, under, and subject to such rules, modifications, and limitations in respect thereof, as to H. M., his heirs and successors, shall seem meet, and as shall be specified in any such order in council in that behalf, 4 G. 4. c. 96. s. 8.

21. The said supreme courts respectively shall be courts of equity in *New South Wales* and *Van Diemen's Land*, and the dependencies thereof respectively, and shall have power and authority to administer justice, and to do, exercise, and perform all such acts, matters, and things necessary for the due execution of such equitable jurisdiction, as the lord high chancellor of *G. B.* can or lawfully may within *Eng.*, 4 G. 4. c. 96. s. 9.

22. The said supreme courts respectively shall be courts of ecclesiastical jurisdiction, and shall have full power and authority to administer and execute within *New South Wales* and *Van Diemen's Land*, and the dependencies thereof respectively, such ecclesiastical jurisdiction and authority as shall be committed to the said supreme courts respectively by H. M.'s said charters or letters patent; provided, that in all cases where the executor or executors of any will, upon being duly cited, shall refuse or neglect to take out probate, or where the next of kin shall be absent, and the effects of the deceased shall appear to the said judges respectively to be exposed and liable to waste, it shall be lawful for the said judges respectively, to authorize and empower the registrar, or other ministerial officer of the said supreme courts respectively, to collect such effects, and hold or deposit or invest the same in such manner and place, or upon such security, and subject to such orders and directions as shall be made, either as applicable to all such cases, or specially in any case, by the said judges, in respect of the custody, controul, or disposal thereof, 4 G. 4. c. 96. s. 10.

23. In all cases where the process of the said supreme courts respectively hath been sued out against any defendant in any plaint or action entered in the said supreme courts respectively, for debt upon specialty, or bill or note under hand, or book debt, upon a *concessit solvere*, and a *non est inventus* hath been returned, it shall be lawful for the said supreme courts respectively to issue an attachment, thereby commanding the sheriff or provost-marshal of *New South Wales* or *Van Diemen's Land* respectively, or his lawful deputy, to attach the monies, goods, chattels, or debts of any such defendant, in the hands of any person whomsoever, and notwithstanding any such person shall be the wife or attorney of the defendant aforesaid, in whose possession or power such monies, goods, and chattels may be, or from whom such debts may be due, and also to require such person to appear at a day certain of the next term or meeting of the said supreme courts respectively, to show cause why the said monies, goods, chattels, or debts, or so much thereof as will satisfy the debt demanded, should not be delivered to the plaintiff in such action; at which day, if the said person shall confess, or it shall otherwise be made to appear to the satisfaction of the said supreme courts respectively, that the said monies, goods, chattels, or debts do properly belong to the said defendant against whom process hath been returned as aforesaid, and if the said plaintiff, his or her agent or attorney do swear in open court that the debt so demanded is due, and that no part thereof hath been satisfied, and do also give security in double the debt demanded, to restore with treble damages the same, or so much thereof as shall afterwards be disproved, then and in all such cases the plaintiff shall have judgment for the said debt demanded, and execution against the said monies, goods, chattels, and debts so attached; provided, that if the said defendant, or any person as attorney to the said defendant, shall appear, and put in bail to answer the action and satisfy the judgment, then the said attachment shall be dissolved, and proceedings had according to the usual course in the said supreme courts respectively; and if any person as aforesaid, in whose possession or power such money, goods, chattels, or debts shall be so attached, shall dispose of the same or any part thereof before the said debt demanded shall be satisfied, or the said attachment dissolved, then the said person for such his default shall be liable to make satisfaction to the plaintiff, out of his proper estates, and in case no such satisfaction shall be made, shall be liable to be dealt with as for contempt of the said supreme courts respectively, 4 G. 4. c. 96. s. 11.

24. On the trial of every issue of fact joined between the parties in any action at law by this act made cognizable in the said supreme courts, where the sum or matter at issue shall exceed the amount or value of 500*l.* sterling, and where such trial shall not be by a jury, the judges of the said supreme courts respectively shall cause the evidence to be

taken down in writing by the clerk or other proper officer of the said supreme courts respectively, and repeated in open court to the witnesses respectively giving the same; and the evidence so taken and repeated shall be entered upon the proceedings of the court, and be of record, and no objection shall be allowed to the competency of witnesses of sufficient age and discretion, except for interest in the event of the trial; and in every case in which any appeal shall be made or allowed under the provisions of this act, copies of all documents and papers which shall have been produced and given in evidence shall be certified by the said clerk, or other proper officer of the court to be appointed for that purpose, as authentic; and also copies of any documents and papers which shall have been produced and tendered in evidence, and rejected, shall, if required by the party producing the same, be in like manner authenticated, but marked by such officer as aforesaid as rejected, in order that all such copies may be annexed to the record as part thereof, in case of appeal, 4 G. 4. c. 96. s. 12.

25. It shall be lawful for the plaintiff or defendant, against whom any judgment, decree, order, or sentence of the said supreme courts respectively shall be given, for or in respect of any sum or matter at issue above the amount or value of 500*l.* sterling, to appeal therefrom to the court of appeals herein-after mentioned; and the party appealing, shall, within 14 days from the passing thereof, give notice to the adverse party of such appeal, and within 28 days from and after such judgment, decree, order, or sentence, enter into sufficient security, to be approved by the judges of the said supreme courts respectively, to satisfy or perform the said judgment, decree, order, or sentence, in case the same shall be affirmed, or the appeal dismissed, together with such further costs as shall be awarded thereon; and in all cases of appeal where notice shall be given and security perfected as aforesaid, execution shall be stayed, and not otherwise, 4 G. 4. c. 96. s. 13.

26. It shall be lawful for the judges of either of the supreme courts aforesaid, on the application of either of the parties, plaintiff or defendant, at or before the hearing or trial of any suit or action commenced in the said supreme courts respectively, to permit an appeal to the said court of appeals from any judgment, decree, order, or sentence of the said supreme courts respectively, although the sum or matter at issue, for or in respect of which such judgment, decree, order, or sentence shall or may be given, made or pronounced, shall not amount to or be of the value of 500*l.* sterling, in case it shall be made to appear to the satisfaction of the said judges of the said supreme courts respectively that such judgment, decree, order, or sentence may be of peculiar importance, or may affect directly or indirectly the decision of any other question of peculiar importance, or involve directly or indirectly any claim, demand, or question to or respecting property, or any civil right, amounting to or of the value of 500*l.* sterling; and in all such cases where the trial shall not be by a jury, the evidence given before the said supreme courts respectively shall be taken down in writing, and repeated to the witnesses giving the same; and such evidence shall be of record, and copies shall be made and authenticated of all documents and papers produced, in such manner as before directed respecting the trial of issues of fact where the sum or matter at issue shall exceed the amount or value of 500*l.* sterling, 4 G. 4. c. 96. s. 14.

27. The governor or acting governor of *New South Wales*, shall from time to time hold a court, to be called "The Court of Appeals of the Colony of *New South Wales*," which court shall have power and authority, in all such cases as aforesaid, to receive and hear appeals from the judgments, decrees, orders, and sentences of the supreme courts of *New South Wales* and *Van Diemen's Land* respectively, and to affirm, alter, or reverse the said judgments, decrees, orders, or sentences, in whole or in part, or to dismiss the said appeals, with costs or otherwise, as may be just: provided, that the governor or acting governor aforesaid shall be assisted in the hearing or determining of all appeals from the supreme court of *Van Diemen's Land* by the chief justice of the supreme court of *New South Wales*: provided also, that the record of every judgment, decree, order, or sentence to be pronounced by the said court of appeals, shall by such court be remitted to the supreme court whence the appeal was brought to be by such supreme court carried into effect according to law: provided also, that upon any appeal to be brought to the said court of appeals from any judgment of either of the said supreme courts, founded upon the verdict of a jury of 12 men, the said court of appeals shall not reverse, alter, or inquire into the said judgment, except only for error of law apparent upon the record, 4 G. 4. c. 96. s. 15.

28. It shall be lawful for H. M., by the said charters or letters patent respectively, to allow any person feeling aggrieved by any judgment, decree, order, or sentence of the said court of appeals, to appeal therefrom to H. M. in council, in such manner, within such time, and under and subject to such rules, regulations, and limitations, as H. M., by any such charters or letters patent respectively, shall appoint and prescribe, 4 G. 4. c. 96. s. 16.

29. It shall be lawful for H. M., his heirs and successors, by his said

charters or letters patent, or by any order in council, at any time hereafter to make and prescribe, or to authorize and empower the judges of the said supreme courts in *New South Wales* and *Van Diemen's Land* respectively, under such limitations as H. M. shall deem proper, to make and prescribe such rules and orders touching and concerning the time and place of holding the said courts respectively, the forms and manner of proceeding, and the practice and pleadings upon all indictments, informations, actions, suits, and other matters to be therein brought, the appointing of commissioners to take bail and examine witnesses, the taking examinations of witnesses *de bene esse*, and allowing the same as evidence, the granting of probates of wills and letters of administration, the proceedings of the sheriff, provost-marshal, and other ministerial officers, the process of the said courts, and the mode of executing the same, the impannelling of juries, the admission of attornies, solicitors, and barristers, the fees, poundage, or perquisites to be lawfully demanded by any officer, attorney, or solicitor in the said courts respectively, and all other matters and things whatsoever, as to H. M., his heirs and successors, shall seem meet for the conduct of business in the said courts respectively, and as may be adapted to the circumstances and condition of the said colony; and such rules and orders from time to time to alter, amend, or revoke, as to H. M., his heirs and successors, shall seem requisite; and all rules and orders so to be established by any such order or orders in council as aforesaid shall be of such and the like force and effect as if the same had been inserted in this present act, 4 G. 4. c. 96. s. 17.

30. The governor or acting governor of *New South Wales* and *Van Diemen's Land*, and the dependencies thereof respectively, upon the arrival in the said colony of H. M.'s charter or letters patent for the establishment, by virtue of this act, of the supreme courts of *New South Wales* and *Van Diemen's Land* respectively, shall by proclamation notify to the inhabitants of the said colony the time when the said courts respectively are to be opened, and the judges thereof respectively are to assume and enter upon the exercise of their jurisdiction therein; and when and so soon as the said courts shall actually have so assumed and entered upon the exercise of such jurisdiction, then and from thenceforth the 27 G. 3. c. 2. [Stat. Dig. tit. NEW HOLLAND, pl. 1. 3. 4. 7.] intituled, *An Act to enable H. M. to establish a court of criminal judicature on the eastern coast of New South Wales, and the parts adjacent*, shall cease to have effect and determine, and the courts of criminal and civil jurisdiction in *New South Wales* and its dependencies respectively, instituted by H. M.'s letters patent under the great seal, and bearing date respectively the 2d April, and 4th Feb., 24 & 25 G. 3., shall likewise cease and determine, and every suit or complaint which shall at that time be depending in the said courts respectively shall be proceeded upon in the said supreme courts of *New South Wales* or *Van Diemen's Land* respectively, in the same manner as any suit or complaint originally commenced or brought in such courts respectively under this act, and as if such suit or complaint had been originally brought or commenced in such courts respectively; and all the records, muniments, and proceedings whatsoever of and belonging to the said courts of criminal and civil jurisdiction respectively shall, from and immediately after the opening of the supreme courts respectively instituted under this act, be delivered over and deposited for safe custody in the said supreme courts respectively, to which all parties concerned shall and may have recourse as to the other records of the said courts; provided, that until the said supreme courts to be established by virtue of this act shall have actually assumed and entered upon the exercise of their jurisdiction in the said colony, the said courts of criminal and civil jurisdiction now existing within *New South Wales* and *Van Diemen's Land*, and the dependencies thereof, shall enjoy and exercise all powers, authorities, and jurisdictions lawfully vested in them by the said several letters patent, as fully and effectually to all intents and purposes as if this act had not been made, 4 G. 4. c. 96. s. 18.

31. Courts of general or quarter sessions shall be holden in *New South Wales* and *Van Diemen's Land*, and their dependencies, at such times and places as the governor or acting governor of *New South Wales* shall by his proclamation appoint; and the said courts of sessions respectively shall have power and authority to take cognizance of all matters and things cognizable in courts of general or quarter sessions in Eng., so far as the circumstances and condition of the said colony shall require and admit; and the said courts shall have power and authority in a summary way to take cognizance of all crimes and misdemeanors not punishable with death, which have been or shall be committed by any felons or other offenders who have been or shall be transported to *New South Wales* or its dependencies, and whose sentences shall not have expired or been remitted, and also of all crimes and misdemeanors committed by any such felons or offenders on board of any ship or vessel during the voyage to *New South Wales* or the dependencies thereof, and the same to punish, if such courts shall see fit, by extending the time for which such persons may have been originally transported, or by transportation to such other part of *New South Wales*,
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or the dependencies thereof, as may be appointed for the reception of offenders as hereafter mentioned, and as the case may require, and by hard labour for any time not exceeding three years; and also in a like summary way to take cognizance of all complaints made against any such felons or offenders for drunkenness, disobedience of orders, neglect of work, absconding or desertion, abusive language to their, his, or her employers or overseers, insubordination or other turbulent or disorderly conduct, and all such offences to punish by whipping or other corporal punishment not extending to privation of life or member, or by removal to some other part in the said colony or its dependencies, and hard labour, according to the nature and degree of such offences respectively: provided, that a return of all sentences imposed by the said court be made to such governor or acting governor aforesaid, and shall be by him within six months transmitted to one of H. M.'s principal secretaries of state in *Eng.*, 4 G. 4. c. 96. s. 19.

32. All and every the powers and authorities, and jurisdiction which in and by 4 G. 4. c. 96. s. 19. [*ante*, pl. 31.] intituled, *An Act to provide until the 1st July 1827, and until the end of the next sessions of parliament, for the better administration of justice in New South Wales and Van Diemen's Land, and for the more effectual government thereof, and for other purposes relating thereto*, are vested in the courts of general and quarter sessions, for the taking cognizance of and punishing all crimes and misdemeanors not punishable with death committed by any felons, or other offenders who have been or shall be transported to *New South Wales* or its dependencies, and whose sentences have not expired or been remitted, or for taking cognizance of complaints made against any such felons or offenders for drunkenness, disobedience of orders, neglect of work, absconding, or desertion, abusive language to their, his, or her employers or overseers, insubordination, or other turbulent or disorderly conduct, or for punishing such offences or any of them, shall be, and all such powers, authorities, and jurisdiction are and is hereby vested in any one or more justice or justices of the peace in and for the said colony, or in or for any district or county thereof, to be by such justice or justices exercised in a summary way: provided, that no such justice or justices shall exercise any such powers, authorities, or jurisdiction as aforesaid, in any case where any court of general or quarter sessions shall be appointed to be held within one week after the complaint shall be preferred against any such offender, at any place not more than 20 miles distant from the place at which the offence shall be charged to have been committed, 6 G. 4. c. 96. s. 3. [*See the rest of the act, TRANSPORTATION.*]

33. It shall be lawful for the governor or acting governor of *New South Wales* from time to time to institute courts of civil jurisdiction, to be called "Courts of Requests," in different parts of *New South Wales* and *Van Diemen's Land*, or the dependencies thereof, as occasion shall require, with full power and authority to hear and determine in a summary way all actions, plaints, and suits for the payment or recovery of any debt, damages, or matter not exceeding 10*l.* sterling, except the matter in question shall relate to the title to any lands, tenements, or hereditaments, or to the taking or demanding of any duty payable to the King, or to any fee of office, annual rent, or other such matter, where rights in future may be bound, or to any general right or duty, and to award costs therein; and the determination and award of such courts of requests, in all cases within the jurisdiction thereof, shall be final, and shall be carried into execution by attachment and sale of the goods and effects, or by corporal arrest of the party against whom such determination or award shall be made; and each of the said courts of requests respectively shall be holden by a commissioner to be appointed by the governor or acting governor aforesaid for the time being, with such salary as the said governor or acting governor, with the approbation of H. M., shall think proper to appoint; which salary shall be in lieu of all fees, profits, or emoluments whatever, in respect of the office of such commissioner as aforesaid, 4 G. 4. c. 96. s. 20.

34. The governor or acting governor of *New South Wales* shall and may, with the assistance of the chief justice of the supreme court of *New South Wales*, from time to time settle such forms of process, and such rules of practice and proceeding, for the conduct and dispatch of business in the said courts of sessions and requests respectively, and appoint such reasonable fees to be taken as shall seem necessary and proper for expediting the business of the said courts with most convenience and least expence to the parties concerned therein, and such rules and forms shall be followed, and such fees shall be paid accordingly, and no other, 4 G. 4. c. 96. s. 21.

35. Whereas it is expedient to make provision for an equal distribution of the effects of insolvent debtors in *New South Wales* and *Van Diemen's Land*, and the dependencies thereof, among their creditors; be it further enacted, That as often as any writ or other process for the recovery of any debt or sum due shall be issued by the supreme courts aforesaid, or either of them, against any person or persons residing or carrying on business in *New South Wales* or *Van Diemen's Land*, or any place within the respective dependencies thereof, and

it shall be made to appear to the said courts respectively, at the return of such writ or process, that the person against whom the same shall have been issued is unable to pay 20*s.* in the pound to all his or her creditors, it shall be lawful for the judges of the said courts respectively to cause the person against whom the same shall have been issued, together with all his or her creditors, to be summoned by public notice to attend the said court on a certain future day; and in the meantime, if it shall appear necessary to the judges of the said courts respectively, to appoint one or more of the said creditors as provisional trustee or trustees, to discover, collect, and receive the estates and effects of such person so appearing to be insolvent, subject to the orders and directions of the said judges respectively; and if after due examination of the person against whom process shall have been issued as aforesaid, or if such person shall abscond or fail to attend the said courts respectively, pursuant to such summons as aforesaid, it shall be made to appear to the satisfaction of the said judges respectively that such person is insolvent, it shall be lawful for the said courts respectively to declare such person insolvent accordingly, and immediately to take order for discovering, collecting, and selling the estates, debts, and effects of such insolvent, and distributing the produce thereof equally and rateably amongst all his or her creditors, and for that purpose to authorize any two or more creditors of the said insolvent, or any other fit and proper person, to be for that purpose nominated by the said courts respectively, to act as and be trustees for the benefit of the creditors of such insolvent; and the said courts respectively shall from time to time make such orders as shall be just, for better discovering, collecting, selling, and realizing the estates, debts and effects of the person so declared insolvent, and for making a rateable distribution thereof amongst all the creditors of such insolvent, or, if occasion shall require, for vesting the same, or any parts thereof, in the public funds or securities in *Eng.*, until such distribution can be made, 4 G. 4. c. 96. s. 22.

36. If such insolvent shall make a full and true disclosure, discovery, and surrender of all his or her estates, goods, debts and effects, and shall conform to the orders and directions of the said judges of the said supreme courts respectively in respect thereof, the same shall, with the consent in writing under the hands of the major part in number and value of the creditors of such insolvent, be certified by the judges, under the seal of the said courts respectively; and such certificate may be pleaded, and shall be a bar of all suits and complaints for debts and contracts for payment of money due, and entered into by such person prior to the time of his or her being declared insolvent as aforesaid; and if any person so declared insolvent as aforesaid shall fail to make a true disclosure and discovery of all his or her estate and effects, or shall otherwise refuse to conform to the orders or directions of the said judges of the said courts respectively, it shall be lawful for the said courts respectively to cause such person to be arrested and imprisoned until he or she shall make such disclosure and discovery, and in all respects conform to such orders and directions: provided, that no person who shall be declared insolvent as aforesaid a second time shall be entitled to any such certificate, unless his or her estate and effects, when collected and realized, shall be sufficient to pay at least 15*s.* in the pound to all his or her creditors; and that no person who shall be declared insolvent as aforesaid a third time or oftener shall be entitled to any such certificate, 4 G. 4. c. 96. s. 23.

37. And whereas it may be necessary to make laws and ordinances for the welfare and good government of the said colony of *New South Wales*, and the dependencies thereof, the occasions of which cannot be foreseen, nor without much delay and inconvenience be provided for, without entrusting that authority for a certain time, and under proper restrictions, to persons resident there: and whereas it is not at present expedient to call a legislative assembly in the said colony; be it therefore enacted, that it shall and may be lawful for H. M., his heirs and successors, by warrant under his or their sign manual, to constitute and appoint a council, to consist of such persons resident in the said colony, not exceeding seven nor less than five, as H. M., his heirs and successors, shall be pleased to appoint; and upon the death, removal, or absence of any of the members of the said council, in like manner to constitute and appoint such and so many other person or persons as shall be necessary to supply the vacancy; and the governor or acting governor for the time being of the said colony, with the advice of the council to be appointed as aforesaid, or the major part of them, shall have power and authority to make laws and ordinances for the peace, welfare, and good government of the said colony, such laws and ordinances not being repugnant to this act, or to any charter or letters patent, or order in council which may be issued in pursuance hereof, or to the laws of *Eng.*, but consistent with such laws, so far as the circumstances of the said colony will admit: provided that no law or ordinance shall be passed or made, unless the same shall first by the said governor or acting governor be laid before the said council, at a meeting to be for that purpose convened by a written summons under the hand of such governor or acting governor, to be delivered to or left at the usual place of abode of the

members of such council respectively; provided also, that in case all or the major part of the members of the said council shall dissent from any law or ordinance proposed by such governor or acting governor at any such meeting as aforesaid, the members of the said council so dissenting shall enter upon the minutes of such council the grounds and reasons of such their dissent, and in every such case such proposed law or ordinance shall not pass into a law; provided nevertheless, that if it shall appear to the governor or acting governor for the time being of the said colony, that such proposed law or ordinance is essential to the peace and safety thereof, and cannot without extreme injury to the welfare and good government of the said colony be rejected, then and in every such case, if any one or more member or members of the said council shall assent to such proposed law, the said governor shall enter upon the minutes of the council the grounds and reasons of such his opinion; and in every such case, and until the pleasure of H. M., his heirs and successors, shall be made known in the said colony respecting the same, such law or ordinance shall be of full force and effect in the said colony, and the dependencies thereof, any such dissent as aforesaid of majority of the members of the said council notwithstanding, 4 G. 4. c. 96. s. 24.

38. Provided, that in case any rebellion or insurrection shall have actually broken out in the said colony, or if in the judgment of the governor or acting governor thereof for the time being, there shall be good and sufficient cause to apprehend that any such rebellion or insurrection is about forthwith to break out therein, then and in every such case it shall be lawful for such governor or acting governor to promulgate and enforce within the said colony and its dependencies any law or ordinance which may be necessary for suppressing or preventing any such rebellion or insurrection as aforesaid, although every member of the said council should dissent from any such law or ordinance, 4 G. 4. c. 96. s. 25.

39. Provided, that it shall be lawful for H. M., his heirs and successors, by any order to be by him or them issued by and with the advice of his or their privy council, to make and establish any law or ordinance which may have been previously laid before and dissented from by the whole or the major part of the said council, in case such law or ordinance shall appear to H. M., his heirs and successors, to be necessary for the better government of the said colony and its dependencies, 4 G. 4. c. 96. s. 26.

40. Provided, that the said governor and council shall not impose any tax or duty upon any ship or vessel trading with the said colony or the dependencies thereof, or upon any goods, wares, and merchandize imported into or exported from the same, nor any other tax or duty, except only such taxes or duties as it may be necessary to levy for local purposes; and the purposes for which every such tax or duty may be so imposed, and to or towards which the amount thereof is to be appropriated and applied, shall be distinctly and particularly stated in the body of every law or ordinance imposing every such tax or duty, 4 G. 4. c. 96. s. 27.

41. And whereas 59 G. 3. c. 114. [Stat. Dig. this title, pl. 15.] was made, intituled, *An Act to stay proceedings against any governor or other person concerned in imposing and levying duties in New South Wales; to continue until the 1st Jan. 1821, certain duties; and to empower the said governor to levy a duty on spirits made in the said colony*; and whereas the said act hath been continued from time to time by divers acts of parliament, and was varied and altered by 3 G. 4. c. 96. [ante, pl. 2.], intituled, *An Act to continue until the 1st Jan. 1824, an act passed in the 59th year of His late Majesty, relating to imposing and levying duties in New South Wales; to authorize the imposing and levying other duties on goods imported into the said colony; and to suspend for 10 years the payment of duty on the importation of certain goods the produce of New South Wales*; and it is expedient that the 59 G. 3. c. 114. should be made perpetual, and that all the powers and authorities thereby or by the 3 G. 4. c. 96. committed to the governor or other person administering the government of *New South Wales*, should be continued as fully as if this present act had not been made; be it therefore enacted, That the 59 G. 3. c. 114. shall be and the same is hereby made perpetual, and that nothing in this act contained shall extend to repeal, alter, or affect the said last-mentioned act, or the 3 G. 4. c. 96.; any thing herein contained to the contrary notwithstanding, 4 G. 4. c. 96. s. 28.

42. No law or ordinance shall by the said governor or acting governor be laid before the said council for their advice or approbation, or be passed into a law, unless a copy thereof shall have been first laid before the chief justice of the supreme court of *New South Wales*, and unless such chief justice shall have transmitted to the said governor or acting governor a certificate under the hand of such chief justice, that such proposed law is not repugnant to the laws of *Eng.*, but is consistent with such laws, so far as the circumstances of the said colony will admit, 4 G. 4. c. 96. s. 29.

43. Every law or ordinance so to be made as aforesaid, shall, within six months from the date thereof, be transmitted by the governor or

acting governor for the time being of the said colony to one of H. M.'s principal secretaries of state for the time being; and that it shall and may be lawful for H. M., his heirs and successors, from time to time as he or they shall think necessary, to signify, through one of his or their principal secretaries of state, his or their approbation or disallowance of all such laws and ordinances; and that from and immediately after the time when such disallowance shall be published in the said colony, by a proclamation to be for that purpose issued by the said governor or acting governor, all such laws and ordinances shall be null and void; but in case H. M., his heirs and successors, shall not, within the space of three years from the making of such laws and ordinances, signify his or their disapprobation or disallowance thereof as aforesaid, then and in that case all such laws and ordinances shall be valid and effectual, and have full force, 4 G. 4. c. 96. s. 30.

44. Provided, that all laws and ordinances to be made in the said colony, and all orders to be made by H. M., his heirs and successors, with the advice of his and their privy council, in pursuance of this act, shall be laid before both houses of parliament within six weeks at latest next after the commencement of each session, 4 G. 4. c. 96. s. 31.

45. The members for the time being of the said council shall by virtue of such their office be justices of the peace in and for the whole of the said colony of *New South Wales* and its dependencies, and shall within the said colony take precedence of all persons next after the governor or acting governor thereof, and the judges of the said supreme courts, and the commander-in-chief for the time being of H. M.'s forces within the said colony and its dependencies; and the said members of the council shall, before they enter upon and discharge the duties of such their office, severally take and subscribe, before and in the presence of the governor or acting governor thereof for the time being, an oath in the following words; that is to say,

'I do swear, that I will, to the best of my judgment and ability, faithfully advise and assist the governor or acting governor of the colony of *New South Wales* and its dependencies, in all such matters as shall be brought under my consideration as a member of the council of the said colony; and I swear, that I will not, directly or indirectly, communicate or reveal to any person or persons, any matter which shall be so brought under my consideration, or which shall become known to me as a member of the said council.

'So help me God.'

4 G. 4. c. 96. s. 32.

46. In case of the death, absence, or permanent incapacity of any member of the said legislative council, the governor or acting governor for the time being of the said colony shall appoint some fit and proper person to act in the place and stead of such person, until the vacancy so created shall be filled up by an appointment to be made by H. M., his heirs and successors, in manner aforesaid, 4 G. 4. c. 96. s. 33.

47. And whereas by 30 G. 3. c. 47. [Stat. Dig. tit. TRANSPORTATION, pl. 18.], intituled, *An Act for enabling H. M. to authorize the governor or lieutenant-governor of such places beyond the seas to which felons or other offenders may be transported, to remit the sentences of such offenders*, after reciting several orders made by H. M. with the advice of his privy council, whereby H. M. had declared and appointed that the eastern coast of *New South Wales* and the islands thereunto adjacent, should be the place beyond sea to which certain felons and other offenders should be conveyed and transported, it was enacted, that it should be lawful for H. M., by his commission under the great seal, to authorize the governor or lieutenant-governor for the time being of such place as aforesaid, by any instrument in writing under the seal of the government in which such place should be situated, to remit, either absolutely or conditionally, the whole or any part of the time or term for which any such felons or offenders should have been or should thereafter be respectively conveyed or transported to such place; and it was further enacted, That such governor or lieutenant-governor should, by the first opportunity, transmit to one of H. M.'s principal secretaries of state, duplicates of every instrument as aforesaid, and that the names of such felons or other offenders respectively, which should be contained in such duplicates, should be inserted in the next general pardon which should pass under the great seal of *G. B.* after the receipt of such duplicates; and whereas in virtue of the said act and of H. M.'s commission under the great seal, the governors of *New South Wales* for the time being have from time to time remitted the time or term for which divers felons and other offenders have been transported to the said places, but the duplicates of the several instruments, by which such times or terms of transportation were remitted, have not been regularly transmitted to *Eng.*, and the names of the felons, or other offenders respectively therein contained, have not been inserted in any general pardon under the great seal of *G. B.*; be it further enacted, That all instruments in writing, made in conformity with the said act, or which shall be so made before the 1st Jan. 1824, whereby any governor or lieutenant-governor of *New South Wales* for the time being, hath remitted or shortened, or may remit or shorten the time or term of transportation of any

felons or offenders as aforesaid, shall have and shall be deemed and taken to have had, within *New South Wales* and its dependencies, from the days of the respective dates of such several instruments, such and the like force and effect in the law, to all intents and purposes, as any general pardon, if passed under the great seal aforesaid, and including the names of such felons or other offenders respectively, could or would have had; and the same instruments, whenever they shall be ratified by H. M., if H. M. shall be pleased to ratify the same, and such ratification shall be notified in writing by one of H. M.'s principal secretaries of state, shall have the same force and effect within this realm, and all other H. M.'s dominions, from the days of the respective dates of such several instruments, or from such other days as shall be expressed in such ratifications respectively, 4 G. 4. c. 96. s. 34.

48. All instruments in writing whereby any governor or acting governor of *New South Wales* shall hereafter remit or shorten the time or term of transportation of any felons or other offenders, in pursuance of 50 G. 3. c. 47., shall by such governor or acting governor be transmitted to H. M., his heirs and successors, for his and their approbation or allowance; and in case H. M., his heirs and successors, shall, through one of his or their principal secretaries of state, signify his or their approbation or allowance of any such remission or shortening of any such time or term of transportation as aforesaid, then and in such case only, every such instrument so transmitted as aforesaid shall have, and shall be deemed and taken from the date thereof to have had, within *New South Wales* and the dependencies thereof, but not elsewhere, such and the same effect in the law, as if a general pardon had passed under the great seal aforesaid, on the days of the dates of such instruments respectively, in which the names of such felons or offenders as aforesaid had been included, 4 G. 4. c. 96. s. 35.

49. If any person being in *New South Wales*, or any of the dependencies thereof, under or by virtue of any sentence of transportation, or order of any court in the U. K. of G. B. and Ire., for any time or term of years not then expired, or not remitted by the governor or acting governor of the said colony, shall be convicted by due course of law in the said colony, or any of the dependencies thereof, of any offence which if committed in Eng. would or might be punishable by transportation; it shall be lawful for the court before which any such offender may be so convicted, to sentence and adjudge him to detention and safe custody in *New South Wales*, or any of the dependencies thereof, for any term or number of years, not exceeding the term or number of years for which such offender might or could by law be sentenced to transportation, in case he had been convicted of such or the like offence in any court of record in Eng.; and such detention shall take effect, and be computed, not from the date of any such sentence or judgment as aforesaid, but from the time when the term of such original sentence of transportation shall expire; and in case any person who shall be so sentenced to be detained in the said colony or its dependencies, shall be afterwards at large within any part of the U. K. of G. B. and Ire., without lawful cause, before the expiration of the term for which such offender shall have been sentenced to be detained as aforesaid, every such offender being at large as aforesaid, and being thereof lawfully convicted, shall suffer death as in cases of felony without benefit of clergy; and such offender may be tried before the justices of assize, oyer and terminer, great sessions, or gaol delivery for the county, city, liberty, borough, or place, in any part of H. M.'s dominions, where such offender shall be apprehended or taken; and on every such trial, a certificate in writing signed by the judge of the court in *New South Wales* or its dependencies, whereby such offender was so sentenced to be detained, containing the effect and substance only (omitting the formal part) of the indictment and conviction of such offender, and of the sentence of detention, shall be sufficient proof of the conviction and sentence of every such offender, 4 G. 4. c. 96. s. 36.

50. If any person who may hereafter be transported to *New South Wales*, or any of the dependencies thereof, under any sentence or order of any court in the U. K. aforesaid, shall be guilty of misbehaviour or disorderly conduct on board of any ship or vessel in which such person shall be so transported, it shall be lawful for the surgeon or principal medical officer for the time being of any such ship or vessel to inflict or cause to be inflicted on the person or persons so offending, such moderate punishment or correction as may be inflicted by law on convicts confined on board vessels in the river *Thames* by the superintendant or overseer of those vessels: provided that no such punishment or correction shall be so inflicted, unless the master or principal officer for the time being of such ship or vessel shall first signify his approbation thereof in writing under his hand; and every such punishment or correction as aforesaid, together with the particulars of the offence for which the same may be so inflicted, together with such written approbation as aforesaid, shall on the same day, in all cases, be entered by such master or principal officer as aforesaid, upon the log of every such ship or vessel, under a penalty of 50*l.* in case of every refusal or neglect to make such entry, to be recovered by bill, plaint, or information in

either of the supreme courts of *New South Wales* and *Van Diemen's Land* aforesaid, or in any court of record in Eng.; one half of which penalty shall go to the use of H. M., his heirs and successors, and the other half to the person who may inform or sue for the same, 4 G. 4. c. 96. s. 37.

51. And whereas it may be expedient to appoint certain ports or places in *New South Wales*, or the dependencies thereof, for the reception of felons and other offenders who may hereafter be sentenced to transportation, or whom it may be necessary to remove from the settlements at present formed in the said colony; and for the better preventing the escape of such felons or other offenders, it is expedient that no trading ship or vessel should be permitted to enter, or touch at, or hold intercourse with any such ports or places; be it further enacted, That it shall be lawful for H. M., his heirs and successors, by any order or orders to be issued by and with the advice of his or their most honourable privy council, from time to time to appoint such ports or places in *New South Wales*, or any of the dependencies thereof, as shall be deemed proper for the reception and keeping of felons or other offenders; and to prohibit all masters, mariners, and other persons, commanding, navigating, or sailing on board of any ship or vessel, from entering, touching at, or communicating with any such port or place, and for that purpose to establish all such rules and regulations as may be necessary; and for the breach or violation of any such order or orders, rules or regulations, to impose all such penalties and forfeitures as to H. M., his heirs and successors, with the advice of his and their said council, shall seem meet; which penalties and forfeitures shall and may be recovered in the supreme courts of *New South Wales* and *Van Diemen's Land* respectively, or in any court of record or vice-admiralty in any part of H. M.'s dominions, 4 G. 4. c. 96. s. 38.

52. Any person who shall in any manner contrive, aid, abet, or assist in the escape, or intended escape, from any part of *New South Wales* or *Van Diemen's Land*, or the dependencies thereof, of any person there being under or by virtue of any judgment or sentence of transportation for any term not then expired, or of any judgment or sentence pronounced in any court of competent jurisdiction in the said colony or its dependencies, is, and shall be and be deemed and taken to be guilty of a misdemeanor, and shall incur and be liable to fine not exceeding 500*l.*, or to imprisonment for any time not exceeding two years, or to both, at the discretion of the court before which any such person may be convicted; and such misdemeanor shall and may be tried and inquired of by the supreme courts of *New South Wales* or of *Van Diemen's Land* respectively, or by H. M.'s court of K. B. at *Westminster*, or by any court of record in any of H. M.'s colonies, plantations, or foreign dominions, 4 G. 4. c. 96. s. 39.

53. From and after the 30th June 1824, all the provisions, penalties, clauses, matters, and things contained in 2 G. 2. c. 36. [Stat. Dig. tit. SEAMEN, pl. 29.] intituled, *An Act for the regulation and government of seamen in the merchant service*, shall be the same and are hereby extended to *New South Wales*, and the dependencies thereof, 4 G. 4. c. 96. s. 40.

54. It shall be lawful for any artificer, handicraftsman, mechanic, gardener, servant in husbandry, or other labourer, not being under the age of 18 years, by indenture duly executed, and without a stamp, to contract with any person about to proceed to or actually resident in *New South Wales*, or the dependencies thereof, or with the agent or agents of such person, faithfully to serve or to proceed to and faithfully serve such person in the said colony, or the dependencies thereof, for any period not exceeding the full term of seven years, to be computed from the day of the date of such indenture, 4 G. 4. c. 96. s. 41. [See 4 G. 1. c. 11. s. 5. Stat. Dig. tit. AMERICAN COLONIES, pl. 5., for a similar provision.]

55. It shall be lawful for any person with whom such artificer, handicraftsman, mechanic, gardener, servant in husbandry, or other labourer, shall have so contracted to serve as aforesaid, to maintain an action on the case against any person who shall employ, retain, harbour, or conceal any such artificer, handicraftsman, mechanic, gardener, servant in husbandry, or other labourer, with intent to deprive the employer of any such person of his services or otherwise, with intent to defraud or injure such employer; and in case the plaintiff in any such action shall recover a verdict, he shall, in addition to the damages found by such verdict, recover treble costs, 4 G. 4. c. 96. s. 42.

56. It shall be lawful for the court of sessions, or any two or more justices of the peace in *New South Wales*, or the dependencies thereof, upon complaint made upon oath, to punish by fine or imprisonment, or both, any wilful violation of the provisions of such indentures as aforesaid by, or any misdemeanor, miscarriage, or ill-behaviour of, such artificer, handicraftsman, mechanic, gardener, servant in husbandry, or other labourer, in such his service or employment as aforesaid, and also to hear and determine all complaints, differences, and disputes which shall happen and arise between any such artificer, handicraftsman, mechanic, gardener, servant in husbandry, or other labourer, and the person whom he shall have so contracted to serve as aforesaid, and to

make such order or award in every such case as to such courts of sessions or justices respectively shall seem just, and every such order or award to enforce by execution against the goods, effects, or other property of the party against whom such order or award shall be made, or by arrest of the person, and imprisonment for any time not exceeding three calendar months, 4 G. 4. c. 96. s. 43.

57. Provided, that in case it shall at any time seem fit to H. M., his heirs and successors, to constitute and erect the island of *Van Diemen's Land*, and any islands, territories, or places thereto adjacent, into a separate colony, independent of the government of *New South Wales*, it shall and may be lawful for H. M., his heirs and successors, so to do, any thing herein-before to the contrary contained notwithstanding; and in that case it shall be lawful for H. M., his heirs and successors, by any order to be by him or them issued, by and with the advice of his or their privy council, to commit to any person within the said island of *Van Diemen's Land*, and such islands, territories, or places as aforesaid,

such and the like powers, authorities, and jurisdictions, as by virtue of this present act or of any other act of parliament are or may lawfully be committed to any person within the colony of *New South Wales* and its dependencies, subject nevertheless to all such and the like restrictions, provisos, and declarations as are herein-before made and contained, and thereupon the appeal herein-before granted to the governor of *New South Wales* and its dependencies, from the judgments, decrees, orders, and sentences of the supreme court of *Van Diemen's Land*, shall cease and determine; and from and after the making of any such order, all instruments in writing whereby any governor or acting governor of *Van Diemen's Land* and its dependencies shall remit or shorten the term or time of transportation of any felons or other offenders shall have such and the like force, effect, and virtue in the law, as any such instruments in writing to be made by any governor or acting governor of *New South Wales* and its dependencies, can or may lawfully have by virtue of the 30 G. 3. c. 47., or of this present act, 4 G. 4. c. 96. s. 44.

OFFENCE AND OFFENDER. (See ACCESSORY; BENEFIT OF CLERGY.)

1. For extending the laws against receivers of stolen goods to receivers of stolen bonds, bank notes, and other securities for money, 3 G. 4. c. 24.

2. Whereas 2 G. 2. c. 25. s. 3. [Stat. Dig. tit. FELONS, &c. pl. 74, 75.] was passed, whereby it is enacted, amongst other things, that if any person should steal or take by robbery any exchequer orders or tallies, or other orders, entitling any other person to any annuity or share in any parliamentary fund, or any exchequer bills, bank notes, *South Sea* bonds, *E. I.* bonds, dividend warrants of the bank, *South Sea Co.*, *E. I. Co.*, or any other company, society or corporation, bills of exchange, navy bills or debentures, goldsmiths' bills for payment of money, or other bonds or warrants, bills or promissory notes for the payment of any money, being the property of any other person or persons, or of any corporation, notwithstanding any of the said particulars were termed in law a *chase in action*, it should be deemed to be felony with or without the benefit of clergy; according to the nature of the case, as specified and provided for by the said act; and whereas no provision was made by the said act for the prosecuting and punishment of persons receiving or buying any such orders, tallies, bills, bonds, warrants, debentures or notes, knowing the same to have been stolen; and whereas it is expedient that such persons should be liable to be prosecuted and punished in like manner as persons receiving or buying stolen goods, knowing the same to have been stolen, are liable to be prosecuted and punished; be it enacted, That from and after the passing of this act [15th May 1822], all persons who shall receive or buy any exchequer order or tally or other order, entitling any other person or persons to any annuity or share in any parliamentary fund, or any exchequer bill, bank note, *South Sea* bond, *E. I.* bond, dividend warrant of the bank of *Eng.*, *South Sea Co.*, *E. I. Co.*, or any other company, society or corporation, bill of exchange, navy bill or debenture, goldsmiths' note for the payment of money, or other bond, order or warrant, bill or promissory note for payment of money, knowing the same to have been stolen, shall be liable to be prosecuted and punished respectively, for felony or misdemeanor, as the case may be, in like manner as persons receiving or buying stolen goods and chattels, knowing the same to have been stolen, are by the laws now in force liable to be prosecuted and punished, 3 G. 4. c. 24. s. 1.

3. All powers, provisions, and enactments contained in the acts now in force, relative to the searching for and discovery of stolen goods or chattels, and to the apprehending, prosecuting, and punishing of persons receiving or buying stolen goods or chattels, knowing the same to have been stolen, shall extend to the searching for and discovery of any such stolen order, tally, bill, bond, warrant, debenture, or note; and to the apprehending, prosecuting, and punishing of persons receiving or buying any such stolen order, tally, bill, bond, warrant, debenture, or note, knowing the same to have been stolen, in the same manner as if the said powers, provisions, and enactments were herein severally recited and re-enacted, 3 G. 4. c. 24. s. 2.

4. And in all cases where the offence of any person receiving or buying stolen goods or chattels, or any such stolen order, tally, bill, bond, warrant, debenture, or note, knowing the same to have been stolen, shall be deemed to be felony, such offender shall and may be tried and convicted of such felony, as well before as after the trial of the principal

felon; and whether the said principal felon shall have been apprehended, or shall be amenable to justice or not, 3 G. 4. c. 24. s. 3.

5. To provide for the more effectual punishment of certain offences by imprisonment with hard labour, 3 G. 4. c. 114.

6. Whereas by 53 G. 3. c. 162. [Stat. Dig. tit. FELONS, &c. pl. 93, 94.] intituled, *An Act to repeal a certain provision respecting persons convicted of felony without benefit of clergy, contained in 52 G. 3. c. 44., and for making other provisions in lieu thereof*, it is enacted [as in Stat. Dig. tit. FELONS, pl. 94.]: And whereas it is expedient that the provisions of the said act should be extended to certain aggravated misdemeanors and offences below the degree of felony; it is enacted, That from and after the passing of this act [viz. 5th Aug. 1822], whenever any person shall be convicted of any of the offences hereafter specified and set forth; that is to say:—Any assault with intent to commit felony:—Any attempt to commit felony:—Any riot:—Any misdemeanor for having received stolen goods, knowing them to have been stolen:—Any assault upon a peace officer, or upon an officer of the customs or excise, or upon any other officer of the revenue, in the due discharge and execution of his or their respective duty or duties, or upon any person or persons acting in aid of any such officer or officers in the due discharge and execution of his or their respective duty or duties:—Any assault committed in pursuance of any conspiracy to raise the rate of wages:—Being an utterer of counterfeit money, knowing the same to be counterfeit:—Knowingly and designedly obtaining money, goods, wares, or merchandizes, bills, bonds, or other securities for money, by false pretences, with intent to cheat any person of the same:—Keeping a common gaming-house, a common bawdy-house, or a common ill-governed and disorderly house:—Wilful and corrupt perjury, or of subornation of perjury:—Having entered any open or inclosed ground with intent there illegally to destroy, take, or kill game or rabbits, or with intent to aid, abet, and assist any person or persons illegally to destroy, take, or kill game or rabbits, and having been there found at night armed with any offensive weapon:—In each and every of the above cases, and whenever any person shall be convicted of any or either of the aforesaid offences, it shall and may be lawful for the court before which any offender shall be convicted, or which by law is authorized to pass sentence upon any such offender, to award and order (if such court shall think fit) sentence of imprisonment with hard labour, for any term not exceeding the term for which such court may now imprison for such offences, either in addition to or in lieu of any other punishment which may be inflicted on any such offenders by any law in force before the passing of this act; and every such offender shall thereupon suffer such sentence, in such place and for such time as aforesaid, as such court shall think fit to direct," 3 G. 4. c. 114.

7. For enabling courts to abstain from pronouncing sentence of death in certain capital felonies, 4 G. 4. c. 48.

8. Whereas it is expedient that in all cases of felony not within the benefit of clergy, except murder, the court before which the offender or offenders shall be convicted shall be authorized to abstain from pronouncing judgment of death, whenever such court shall be of opinion that, under the particular circumstances of any case, the offender or

offenders, is or are a fit and proper subject or fit and proper subjects to be recommended for the royal mercy; it is enacted, That from and after the passing of this act [*viz.* 4th July 1823], whenever any person shall be convicted of any felony, except murder, and shall by law be excluded the benefit of clergy in respect thereof, and the court before which such offender shall be convicted shall be of opinion that, under the particular circumstances of the case, such offender is a fit and proper subject to be recommended for the royal mercy, it shall and may be lawful for such court, if it shall think fit so to do, to direct the proper officer then being present in court to require and ask, whereupon such officer shall require and ask, if such offender hath or knoweth any thing to say, why judgment of death should not be recorded against such offender; and in case such offender shall not allege any matter or thing sufficient in law to arrest or bar such judgment, the court shall and may, and is hereby authorized to abstain from pronouncing judgment of death upon such offender; and instead of pronouncing such judgment, to order the same to be entered of record, and thereupon such proper officer as aforesaid shall and may, and is hereby authorized to enter judgment of death on record against such offender, in the usual and accustomed form, and in such and the same manner as is now used, and as if judgment of death had actually been pronounced in open court against such offender, by the court before which such offender shall have been convicted, 4 G. 4. c. 48. s. 1.

9. A record of every such judgment, so entered as aforesaid, shall have the like effect to all intents and purposes, and be followed by all the same consequences, as if such judgment had actually been pronounced in open court, and the offender had been reprieved by the court, 4 G. 4. c. 48. s. 2.

10. Nothing herein contained shall extend to that part of the U. K. called *Scot.*, 4 G. 4. c. 48. s. 3.

11. For repealing the capital punishments inflicted by several acts of 6 G. 2. and 27 G. 2., and of 3 G. 3., 4 G. 3., and 22 G. 3.; and for providing other punishments in lieu thereof, and in lieu of the punishment of frame-breaking, under an act of the 28th year of the same reign, 4 G. 4. c. 46.

12. Whereas by 6 G. 2. c. 37. [*Stat. Dig. tit. BANKS OF RIVERS, &c. pl. 1.*] s. 5., it is enacted, that if any person or persons shall unlawfully and maliciously break down or cut down the bank or banks of any river or any sea-bank, whereby any lands shall be overflowed or damaged, every person so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as in cases of felony without benefit of clergy: and whereas it is by 6 G. 2. c. 37. s. 6. [*Stat. Dig. tit. Hops, pl. 4, 5.*] enacted, that if any person or persons shall unlawfully and maliciously cut any hop-binds growing on poles in any plantation of hops, every person so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as in cases of felony without benefit of clergy: and whereas by 27 G. 2. c. 19. s. 49. [*relating to the great Bedford Level*] it is enacted, that if any person or persons shall maliciously cut, break down, burn, demolish, or destroy any bank, mill, engine, flood-gate or sluice, making or erecting, or made or erected, supported or maintained, for answering the purposes specified in the said act, every person so offending, being thereof convicted, shall be guilty of felony, and shall suffer death as felons without benefit of clergy: and whereas by 3 G. 3. c. 16. s. 6. [*Stat. Dig. tit. GREENWICH HOSPITAL, pl. 48.*] it is, among other things, enacted, that whosoever willingly and knowingly shall personate or falsely assume the name or character of, or procure any other to personate or falsely to assume the name and character of any person entitled or supposed to be entitled as an out-pensioner to any out-pension or allowance of money, from the commissioners or governors of *Greenwich* hospital, in order to receive the money due or supposed to be due on such out-pension, every such person so offending, and being lawfully convicted of any such offence or offences, shall be deemed guilty of felony, and suffer death as a felon without benefit of clergy: and whereas it is expedient that a lesser degree of punishment should be provided for the offences by the said acts created; be it enacted, That so much of the said acts as excludes the benefit of clergy from persons convicted of the felonies thereby respectively created, shall be, and the same are hereby repealed; and from and after the passing of this act [4th July 1823], any person convicted of the said felonies, or any of them, shall be liable, at the discretion of the court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned only, or to be imprisoned and kept to hard labour in the common gaol or house of correction, for any term not exceeding seven years, 4 G. 4. c. 46. s. 1.

13. And whereas by 4 G. 3. c. 37. s. 16. [*Stat. Dig. tit. LINEN MANUFACTURES, pl. 12.*] provision was made for the capital punishment of per-

sons convicted of divers offences, in stealing, cutting, and destroying linen yarn, linen cloth, or manufactures of linen yarn, and the looms, tools, and implements used therein: and whereas by 22 G. 3. c. 40. ss. 1, 2, 3. [*Stat. Dig. tit. LINEN MANUFACTURES, pl. 11., SILK MANUFACTURES, pl. 46., WOOL, &c. pl. 101.*], provision was made for the capital punishment of persons convicted of divers offences, in destroying the woollen, silk, linen, and cotton manufactures, and the tools, tackle, and utensils used therein: and whereas it is expedient to provide a lesser degree of punishment for such offences, and to amend some defects in the said two acts, and to incorporate therewith the provision made by 28 G. 3. c. 55. s. 4. [*Stat. Dig. tit. FRAME-WORK, &c. pl. 21.*], for the punishment of persons convicted of divers offences, in cutting and destroying framework-knitted pieces, stockings, and other like articles, and breaking, destroying, and damaging frames, machines, engines, tools, instruments, and utensils used in the same manufacture and machinery in the said act mentioned; be it further enacted, That from and after the passing of this act [*viz.* 4th July 1823], the whole of the 22 G. 3. c. 40., except so much thereof as repeals former acts, and so much of the said recited acts of the 4th and 28th years aforesaid, as create felonies, in stealing, damaging, or destroying manufactures, implements, or machinery, shall be and the same are hereby repealed, save only as to offences committed before the passing of this act, as to which the said three last acts shall continue in force; and from and after the passing of this act [*viz.* 4th July 1823], if any person shall by day or by night break into any house, shop, or building, or enter by force into any house, shop, or building, with intent to cut, break, destroy, or damage, in the loom or frame, or on any machine or engine, or on the rack or tenters, or in any stage, process, or progress of manufacture, any woollen, silk, linen, or cotton goods, or any goods of any one or more of those materials mixed with each other, or mixed with any other material; or to cut, break, destroy, or damage any other article of the woollen, silk, linen, or cotton manufactures in the loom or frame, or on any machine or engine, or on the rack or tenters, or in any stage, process, or progress of manufacture; or to cut, break, destroy, or damage any warp or shute of woollen, silk, linen, or cotton, or of any one or more of those materials mixed with each other, or mixed with any other material, or any framework-knitted piece, stocking, hose, or lace; or to burn, break, cut, destroy, or damage any loom, frame, machine, engine, rack, tool, tackle, utensil, instrument, or implement, whether fixed or moveable, prepared for or employed in carding, spinning, throwing, weaving, fulling, shearing, or otherwise manufacturing or preparing any such goods or articles; or shall wilfully and maliciously, and without lawful authority, cut, break, destroy, or damage any such woollen, silk, linen, cotton, or mixed goods, or articles, in the loom or frame, or on any machine or engine, or on the rack or tenters, or in any stage, process, or progress of manufacture; or burn, break, cut, destroy, or damage any such loom, frame, machine, engine, rack, tool, tackle, utensil, instrument, or implement as aforesaid; or counsel, procure, aid, or abet the commission of the said offences, or of any of them; every person so offending, being thereof lawfully convicted, shall be guilty of felony, and shall be liable, at the discretion of the court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned only, or to be imprisoned and kept to hard labour in the common gaol or house of correction, for any term not exceeding seven years, 4 G. 4. c. 46. s. 2.

14. For extending the benefit of clergy to several larcenies therein mentioned, 4 G. 4. c. 53.

15. Whereas by 22 C. 2. c. 5. s. 3. [*Stat. Dig. tits. WOOL, &c. pl. 72., STORES, &c. pl. 4.*] the benefit of clergy is taken away from persons convicted of cutting and taking, stealing and carrying away cloth, &c. from the rack or tenter in the night time, or of stealing or embezzling any of H. M.'s naval stores to the value of 20s.: and whereas by 10 & 11 W. 3. c. 23. s. 1., as altered by 1 G. 4. c. 117. [*Stat. Dig. tit. FELONS, &c. pl. 53—55.*], benefit of clergy is taken away from persons convicted of privately and feloniously stealing any goods, wares, or merchandize of the value of 15*l.*, in any shop, warehouse, coach-house, or stable, or of assisting, hiring, or commanding any person to commit any such offence: and whereas by 24 G. 2. c. 45., [*Stat. Dig. tit. ROBBERY, pl. 20, 21.*], the benefit of clergy is taken away from persons convicted of feloniously stealing any goods, wares, or merchandize of the value of 40s. in any ship, barge, lighter, boat, or other vessel or craft, upon any navigable river, or in any port of entry or discharge, or in any creek belonging to any navigable river, port of entry or discharge, within the kingdom of *G. B.*, or of feloniously stealing any goods, wares, or merchandize of the value of 40s. upon any wharf or key adjacent to any navigable river, port of entry or discharge, or of being present, aiding and assisting in the committing any of the offences aforesaid: and whereas it is expedient that a lesser degree of punishment than that of death should be provided for the offences from which the benefit of

clergy is so taken away as aforesaid, and that the same punishment should be extended in manner herein-after mentioned; be it therefore enacted, That so much of the said acts as takes away the benefit of clergy from the persons convicted of the offences herein-before mentioned, shall be repealed: and that from and after the passing of this act [8th July 1823], every person who shall be lawfully convicted of cutting, taking, stealing, or carrying away any cloth or other woollen manufactures from the rack or tenters in the night time, or of stealing or embezzling H. M.'s ammunition, sails, cordage, or naval or military stores, or of privately stealing any goods or chattels in any shop, warehouse, coach-house, or stable, or of stealing any goods, wares, or merchandize in any ship, barge, lighter, boat, or other vessel or craft, upon any navigable river or canal, or in any port of entry or discharge, or in any creek belonging to any such river, canal, or port, or from any dock, wharf, or quay adjacent to any such river, canal, or port, or of procuring, counselling, aiding, or abetting any such offender, shall be liable, at the discretion of the court, to be transported beyond the seas for life, or for any term not less than seven years, or to be imprisoned only, or to be imprisoned and kept to hard labour in the common gaol or house of correction, for any term not exceeding seven years, 4 G. 4. c. 53.

16. For allowing the benefit of clergy to persons convicted of certain felonies under two acts, of the 9th year of King George the First, and of the 27th of King George the Second; for making better provision for the punishment of persons guilty of sending or delivering threatening letters, and of assaults with intent to commit robbery, 4 G. 4. c. 54. [AMD. as to sending threatening letters, 6 G. 4. c. 19.]

17. Whereas by 9 G. 1. c. 22. s. 1. [Stat. Dig. tit. RIOT, pl. 32.], it is among other things enacted, that if any person or persons being armed with swords, fire arms, or other offensive weapons, and having his or their faces blacked, or being otherwise disguised, shall appear in any forest, chase, park, paddock, or grounds inclosed with any wall, pale, or other fence, wherein any deer have been or shall be usually kept, or in any warren or place where hares or conies have been or shall be usually kept, or in any high road, open heath, common, or down; or shall unlawfully and wilfully hunt, wound, kill, destroy, or steal any red or fallow deer, or unlawfully rob any warren or place where conies or hares are usually kept; or shall unlawfully steal or take away any fish out of any river or pond; or if any person or persons shall unlawfully and maliciously break down the head or mound of any fish-pond whereby the fish shall be lost or destroyed, or shall forcibly rescue any person being lawfully in custody of any officer or other person for any of the offences before mentioned; or if any person or persons shall, by gift or promise of money or other reward, procure any of H. M.'s subjects to join him or them in any such unlawful act, every person so offending, being therefore lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as in cases of felony without benefit of clergy: and whereas it is expedient that a lesser degree of punishment should be provided for the said offences, and that the same punishment should be extended to persons accessory thereto; be it enacted, That so much of the said act as excludes the benefit of clergy in the cases aforesaid, shall be repealed; and that from and after the passing of this act [8th July 1823], every person duly convicted of the felonies herein-before recited, or of any of them, or of procuring, counselling, aiding or abetting the commission thereof, shall be liable, at the discretion of the court, to be transported beyond the seas for the term of seven years, or to be imprisoned only, or to be imprisoned and kept to hard labour in the common gaol or house of correction, for any term not exceeding three years, 4 G. 4. c. 54. s. 1.

18. And whereas by the said act [viz. 9 G. 1. c. 22. s. 1.], it is further enacted, that if any person or persons shall unlawfully and maliciously kill, maim, or wound any cattle, [see ante, tit. CATTLE, 3 G. 4. c. 71.], or cut down or otherwise destroy any trees planted in any avenue, or growing in any garden, orchard, or plantation, for ornament, shelter, or profit, or shall forcibly rescue any person being lawfully in custody of any officer or other person for such offence, or shall, by gift or promise of money or other reward, procure any of H. M.'s subjects to join him or them in any such unlawful act, every person so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as in case of felony without benefit of clergy: and whereas it is expedient that a lesser degree of punishment should be provided for the said last-recited offences, and that the same should be extended in the manner herein-after mentioned; be it enacted, That so much of the said act as is last herein-before recited shall be repealed; save only as to offences committed before the passing of this act, as to which the said recited act shall continue in force; and that from and after the passing of this act, [8th July 1823], if any person shall unlawfully and designedly kill,

maim, or wound any cattle, whether from malice conceived against the owner or otherwise, or shall unlawfully and maliciously cut down or otherwise destroy any trees planted in any avenue, or growing in any garden, orchard, or plantation, for ornament, shelter, or profit, or shall procure, counsel, aid, or abet the commission of the said offences, or of any of them, or shall forcibly rescue any person lawfully in custody of any officer or other person, for any of the said offences, every person so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall be liable, at the discretion of the court, to be transported beyond the seas for life, or for such term not less than seven years, as the court shall adjudge, or to be imprisoned only, or to be imprisoned and kept to hard labour in the common gaol or house of correction, for any term not exceeding seven years, 4 G. 4. c. 54. s. 2.

19. And whereas by the 9 G. 1. c. 22. s. 1., it is enacted, that if any person or persons shall knowingly send any letter without any name subscribed thereto, or signed with a fictitious name, demanding money, venison, or other valuable thing, or shall forcibly rescue any person being lawfully in custody of any officer or other person for any such offence, or shall, by gift or promise of money or other reward, procure any of H. M.'s subjects to join him or them in any such unlawful act, every person so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as in cases of felony without benefit of clergy: and whereas by another act, 27 G. 2. c. 15. [Stat. Dig. tit. RIOT, pl. 33.] it is among other things enacted, that if any person or persons shall knowingly send any letter, without any name subscribed thereto, or signed with a fictitious name or names, letter or letters, threatening to kill or murder any of H. M.'s subject or subjects, or to burn their houses, outhouses, barns, stacks of corn or grain, hay or straw, though no money or venison or other valuable thing shall be demanded in or by such letter or letters, or shall forcibly rescue any person being lawfully in custody of any officer or other person for the said offence, every person so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as in cases of felony without benefit of clergy: and whereas by another act, 30 G. 2. c. 24. s. 1. [Stat. Dig. tit. CHEAT, pl. 6.], it is among other things enacted, that all persons who shall knowingly send or deliver any letter or writing, with or without a name or names subscribed thereto, or signed with a fictitious name or names, letter or letters, threatening to accuse any person of any crime punishable by law with death, transportation, pillory, or any other infamous punishment, with a view or intent to extort or gain money, goods, wares, or merchandizes from the person or persons so threatened to be accused, shall be deemed offenders against law and the public peace; and the court before whom such offender or offenders shall be tried, shall, in case he, she, or they should be convicted of any of the said offences, order such offender or offenders to be fined and imprisoned, or to be put in the pillory or publicly whipped, or to be transported for the term of seven years, as the court in which any such offender or offenders shall be convicted shall think fit and order: and whereas it is expedient that a lesser degree of punishment should be provided for the offence of sending threatening letters, in the cases mentioned in the two first recited acts, and that the same degree of punishment should be inflicted in the cases mentioned in the last recited act, and be extended to persons accessory to the said offence; be it enacted, That from and after the passing of this act, [viz. 8th July 1823], so much of the said recited acts of the 9th year of the reign of King George the First, and of the 27th and 30th years of the reign of King George the Second, as relates to the sending and delivering letters in the cases therein respectively mentioned, shall be repealed, save only as to offences committed before the passing of this act [8th July 1823], if any person shall knowingly and wilfully send or deliver any letter or writing, with or without any name or signature subscribed thereto, or with a fictitious name or signature, demanding money or other valuable thing, or threatening to kill or murder any of H. M.'s subjects, or to burn or destroy his or their houses, outhouses, barns, stacks of corn or grain, hay or straw, or shall knowingly and wilfully send or deliver any such letter or writing, threatening to accuse any of H. M.'s subjects of any crime punishable by law with death, transportation or pillory, or of any infamous crime, with a view or intent to extort or gain money, security for money, goods or chattels, wares or merchandize, from the person or persons so threatened, or shall procure, counsel, aid, or abet the commission of the said offences, or of any of them, or shall forcibly rescue any person being lawfully in custody of any officer or other person for any of the said offences, every person so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall be liable, at the discretion of the court, to be transported beyond the seas for life, or for such term, not less than seven years, as the court shall adjudge, or to be imprisoned only, or to be imprisoned and kept to hard labour in the common gaol or house of correction, for any term not exceeding seven years, 4 G. 4. c. 54. s. 3.

20. Whereas by 4 G. 4. c. 54. s. 3., [ante, pl. 19.] certain provisions are

made for the punishment of any person who shall knowingly and wilfully send or deliver any such letter or writing as in the said act is mentioned, threatening to accuse any of H. M.'s subjects of any crime punishable by law with death, transportation, or pillory, or of any infamous crime, with such view or intent as in the said act mentioned, or who shall procure, counsel, aid, or abet the commission of the said offence, or shall forcibly rescue any person being lawfully in custody of any officer or other person for the said offence; and also for the punishment of any person who shall maliciously threaten to accuse any other person of any crime punishable by law with death, transportation, or pillory, or of any infamous crime, with such view or intent as in the said act is mentioned, or who shall procure, counsel, aid, or abet the commission of the said offence: and whereas it is expedient to enact that not only every crime now by law deemed infamous by reason of the person convicted thereof being thereby rendered incompetent to give evidence, but also that each of the several offences herein-after mentioned shall be deemed and taken to be an infamous crime within the meaning of the said act; be it therefore enacted, That as well every crime now by law deemed infamous, as also every assault with intent to commit any rape, or the abominable crimes of sodomy or buggery, or either of those crimes, and every attempt or endeavour to commit any rape, or the said abominable crimes or either of them, and also every solicitation, persuasion, promise, threat, or menace, offered or made to any person, whereby to move or induce such person to commit or to permit the said abominable crimes or either of them, shall be deemed and taken to be an infamous crime within the meaning of the said recited act, 6 G. 4. c. 19.

21. Provided, that nothing herein contained shall be construed to alter or affect the remedy given by the said first recited act to the party damaged, by killing or maiming cattle, or by cutting or destroying trees, against the inhabitants of the hundred, but that the same remedy shall remain in as full and ample manner as before the passing of this act, 4 G. 4. c. 54. s. 4. [See MALICIOUS MISCHIEF.]

22. And whereas it is expedient to make better provision for the punishment of persons guilty of offences against the act 7 G. 2. c. 21. [Stat. Dig. tit. ROBBERY, pl. 17.] intituled, *An Act for the more effectual punishment of assaults with intent to commit robbery*, and to amend the said act; be it enacted, That from and after the passing of this act [8th July 1825], the last recited act shall be repealed, save only as to the offences committed before the passing of this act, as to which the said act shall continue in force; and that from and after the passing of this act, if any person shall maliciously assault any other person with intent to rob such other person, or shall by menaces or by force maliciously demand money, security for money, goods or chattels, wares or merchandize, of any other person, with intent to steal the same, or shall maliciously threaten to accuse any other person of any crime punishable by law with death, transportation, or pillory, or of any infamous crime, with a view or intent to extort or gain money, security for money, goods or chattels, wares or merchandize, from the person so threatened; or shall procure, counsel, aid, or abet the commission of the said offences, or of any of them; every person so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and shall be liable, at the discretion of the court, to be transported beyond the seas for life, or for such term, not less than seven years, as the court shall adjudge, or to be imprisoned and kept to hard labour in the common gaol or house of correction, for any term not exceeding seven years, 4 G. 4. c. 54. s. 5.

23. For making further provision by law for the protection of property in orchards, gardens, and nursery grounds, 6 G. 4. c. 127. [Not to extend to Scot. s. 2. See 13 G. 3. c. 32., 42 G. 3. c. 67.; Stat. Dig. tit. TRESPASS, pl. 21. et seq., and see Index, tits. STEALING; TRESPASS.]

24. If any person shall, after the 1st day of Aug. next [1825], enter into any orchard, garden, or nursery ground, or into any hothouse, greenhouse, or conservatory, and shall take, remove, or carry away any trees, plants, shrubs, or roots, or any fruit or vegetable productions, although such trees, plants, shrubs, roots, or vegetable productions respectively had not, by having been severed from the ground or soil in which the same were growing, or such fruit had not, by having been severed from the tree or trees, or plants on which the same was growing, become personal property before such person so entered as aforesaid, but were respectively so severed by such person at the time of his or her so taking, removing, or carrying away the same, the person so taking and carrying away the said articles, or any of them respectively, shall be deemed and taken to be guilty of felony, and shall be punished as guilty of feloniously stealing the same, in case they shall be taken and carried away with such intent, and in other respects under such circumstances as that such taking and carrying away would amount to a felony in case the said articles respectively had been previously severed, and had become personal property previously to such entering, taking, and carrying away the same as aforesaid, 6 G. 4. c. 127. s. 1.

OFFICE. (See SERVICES PUBLIC).

1. To enable the earl marshal and his deputy to execute the duties of their office or offices, without previously taking or subscribing certain oaths or declarations, 5 G. 4. c. 109.

2. Whereas it is expedient that the earl marshal and his deputy for the time being, should be enabled to execute the duties of his or their office or offices, without previously taking or subscribing certain oaths and declarations; be it therefore enacted, That from and after the passing of this act [viz. 24th July 1824], it shall be lawful for the earl marshal, or his deputy for the time being, to execute all the duties of his or their office or offices respectively, without previously taking, making, or subscribing any declaration or oath, save and except the oath of allegiance to H. M., his heirs and successors, and the oath for the due performance of the duties of the said office or offices, 5 G. 4. c. 109. s. 1.

3. All and every act or acts performed or executed by the earl marshal, or his deputy for the time being, without his or their having previously taken or subscribed any declaration or oath, save and except the oath of allegiance, and the oath of office, shall be held, and the same is or are hereby declared and enacted to be of the same force, validity and effect, to all intents and purposes whatsoever, as if the same had been performed or executed by an earl marshal, or his deputy for the time being, who had taken the oath of supremacy, and signed the declaration against transubstantiation, 5 G. 4. c. 109. s. 2.

PARDON.

1. An act for defining the rights of capital convicts who receive H. M.'s pardon, 6 G. 4. c. 25. s. 1. [See rest of the title, and s. 2. 4. of this act, tit. BENEFIT OF CLERGY, and s. 3. tit. SPIRITUAL PERSONS.]

2. Whereas it is expedient that the civil rights of persons having been convicted of capital felonies who receive H. M.'s most gracious pardon, should be more clearly ascertained than is at present the case, it is enacted, That in all cases in which His late Majesty, or the King's Majesty that now is, his heirs or successors, hath been or shall be pleased to extend his or their royal mercy to any offender convicted of any felony whereby the offender was, is, or shall be excluded from the benefit of clergy, and by warrant under his or their royal sign manual, countersigned by one of his or their principal secretaries of state, hath granted or shall grant to such offender either a free pardon, or a pardon upon condition of transportation, imprisonment, or any other punishment, the discharge of such offender out of custody in case of a free pardon,

and the performance of the condition in case of a conditional pardon, shall have the effect of a pardon under the great seal for such offender as to the felony whereof he or she was so convicted, 6 G. 4. c. 25. s. 1.

PARLIAMENT.

1. For empowering commissioners to be appointed by H. M. to enquire into the forms of process in the courts of law in Scot., and the course of appeals from the court of sessions to the House of Lords, 4 G. 4. c. 85. [Commissioners were appointed and proceeded in their labours, and upon their report the 6 G. 4. c. 76. is founded: this act is therefore EXPIRED.]

2. For better regulating the office of clerk of the parliaments, 5 G. 4. c. 82.

3. Whereas His late Majesty King George the Third, by letters patent

under the great seal of G. B., bearing date at *Westminster*, the 24th Feb., in the 23d year of his reign, did grant unto *Samuel Strutt*, esq. since deceased, the office of clerk of the parliaments, to have, enjoy, and exercise the said office unto him the said *Samuel Strutt*, by himself or his sufficient deputy or deputies, for the term of his natural life, immediately after the decease of *Ashley Cowper*, esq., since deceased, or when the said office should then first become vacant; and by the said letters patent, his said majesty did grant unto *George Rose*, esq., since deceased, the said office of clerk of the parliaments, to have, enjoy, and exercise the said office unto him the said *George Rose*, by himself or his sufficient deputy or deputies, for the term of his natural life, immediately after the decease of the said *Ashley Cowper* and *Samuel Strutt*, or when the said office should then first happen to become vacant: and whereas His said late Majesty, by letters patent bearing date the 24th Oct., 55 G. 3., did grant unto *George Henry Rose*, now the right honourable *Sir George Henry Rose*, son of the said *George Rose*, since deceased, the said office of clerk of the parliaments, to have, enjoy, and exercise the said office, unto him the said *George Henry Rose*, by himself or his sufficient deputy or deputies, for and during the term of his natural life, immediately after the decease of the said *George Rose*, or when the said office should first happen to become vacant, with a salary of 40*l.* a year, payable as therein mentioned, and with all and all manner of liberties and privileges anciently belonging to the said office, and with all profits, advantages, pre-eminences, and emoluments whatsoever, and howsoever belonging or appertaining to the same office, and in as ample manner and form as the said *Ashley Cowper*, *Samuel Strutt* and *George Rose*, or any other person or persons then had and received, or ought to have had and received, in and for the execution of the said office: and whereas the said *Sir George Henry Rose*, and his predecessors, as such clerks of parliament as aforesaid, have exercised and enjoyed the right of nominating and appointing (subject to the approbation of the most honourable the House of Lords) all the clerks belonging to the said office: and whereas the said *Sir George Henry Rose*, in accordance with the wishes, and for promoting the service of the said House of Lords, hath consented to relinquish such right (except as herein-after provided); and it is expedient that such right should in future be exercised in the manner herein-after provided, and that such further regulations as herein-after mentioned should be made upon the expiration of the existing interest of the present clerk of the parliaments and the clerk assistant: be it therefore enacted, That upon and immediately after the expiration of the said last recited letters patent so granted to the said *George Henry Rose* as aforesaid, the person then executing the office of clerk assistant shall be and become clerk of the parliaments, and shall execute the duties of the said office in person, and be removable by address of the house of lords to H. M. for that purpose, 5 G. 4. c. 82. s. 1.

4. And thereafter the clerk of parliaments shall be appointed by H. M., his heirs and successors, but such clerk of the parliaments so appointed shall also execute the duties of the said office in person, and shall be removable by H. M., upon an address of the house of lords to H. M. for that purpose, 5 G. 4. c. 82. s. 2.

5. From and after the passing of this act, [21st June 1824,] then nomination and appointment (except as herein-after provided) of the clerk assistant and other clerks officiating at the table of the house of lords (except the clerk of the parliaments as aforesaid) shall be vested in and exercised by the lord chancellor or speaker of the house of lords for the time being, but subject always to the approbation of the said house of lords, on such appointments being duly notified to the house, and that such officers, when so appointed and approved, shall be removable only by order of the said house of lords, 5 G. 4. c. 82. s. 3.

6. Provided, that it shall be lawful for the said *Sir George Henry Rose*, during his life, and for such person as he shall by any writing under his hand, nominate for that purpose, in case of his death to appoint for one turn only, and subject to the approbation of the said house of lords, on such appointment being notified to the house, any person duly qualified to any one of the said offices at the table of the house, which may become vacant by death, or superannuation, or promotion, during the life of the said *Sir George Henry Rose*, or within 21 years from the time of his death, except as to such appointment as is hereby vested in H. M., but after the lord chancellor or speaker shall have made on the occasion of such vacancy any promotion in such offices which he may deem expedient for the service of the house, or to such vacant office, if no such promotion shall be made, 5 G. 4. c. 82. s. 4.

7. From and after the passing of this act [21st June 1824], all the other clerks, except as aforesaid, belonging to the said office of clerk of the parliaments, (that is to say) the clerk of the journals, copying clerk, clerk of the ingrossments, clerk of the enrolments, and the writing clerks under them, shall be nominated and appointed and removable at pleasure, by the person for the time being executing the office of clerk assistant, during the existence of the said patent so granted to the said

Sir George Henry Rose, and afterwards by the clerk of the parliaments for the time being executing in person the duties of the said office, according to the provisions herein-before contained, 5 G. 4. c. 82. s. 5.

8. The said *Sir George Henry Rose* shall remain in full possession of all the rights, profits, and emoluments of his said office (except as hereby otherwise provided), in the same manner as if this act had not been made: and nothing herein shall invalidate, abridge, or alter the said letters patent, or the rights of the said *Sir George Henry Rose* derived under the same, except as hereby provided; and *Henry Cowper*, esq. the present clerk assistant, shall remain in full possession of all the rights, profits, and emoluments of his said office as heretofore, so long as he shall continue to hold the said office; but if the said office shall at any time become vacant during the existence of the said patent, granted to *Sir George Henry Rose*, then during the existence of the said patent, the person to succeed to the said office of clerk assistant shall be nominated by the crown, and be removable in like manner as herein-before provided with respect to the office of the clerk of the parliaments, 5 G. 4. c. 82. s. 6.

9. To establish a taxation of costs on private bills in the house of commons; and to prohibit the sale of certain offices under the sergeant at arms attending the house of commons, 6 G. 4. c. 123.

10. Whereas it is expedient to establish a taxation of the costs and expences charged by parliamentary agents, solicitors, and others, in respect of bills subject to the payment of fees in parliament, commonly called private bills, and incurred in complying with the standing orders of the house of commons relative to such bills, and in preparing, bringing in, and carrying the same through the house of commons; and to make provision for the more easy recovery of such costs and expences: be it therefore enacted, That if any petitioner or petitioners for a private bill brought into the commons house of parliament, or the agent or agents of any such petitioner or petitioners, shall make application to the speaker of the house of commons, complaining of the amount of the costs and expences charged by any parliamentary agent or solicitor, or any other person employed in soliciting or preparing such bill, or in complying with the standing orders relative thereto, on behalf of any such petitioner; or if any parliamentary agent or solicitor, or other person employed in soliciting any such private bill, or in preparing the same, or in complying with the standing orders relative thereto, shall make application to the speaker complaining that he is aggrieved by the non-payment of the costs and expences charged by him in respect of any such private bill, it shall be lawful for the speaker, upon receiving any such application, and the speaker is hereby authorized and required, to direct that such costs and expences, so far as the same shall relate to the house of commons, shall be taxed by such person or persons as the speaker shall think proper to appoint; and it shall be lawful for any person or persons so appointed for the taxing of such costs and expences, and he and they is and are hereby required to tax the same, and to report to the speaker the amount of such costs and expences which such person or persons shall think fit to be allowed upon and after such taxation; and the speaker shall, upon application, deliver to the person or persons concerned therein and requiring the same, a certificate, signed by himself, expressing the amount of the costs and expences allowed in and by such report; and it shall be lawful for the person or persons so appointed to tax such costs and expences, and he and they is and are hereby authorized respectively, to demand and receive for such taxation and report such fees as shall be from time to time fixed by any resolution of the house of commons, and for that purpose to charge the amount of such fees at the foot of such report, either against the party applying for such taxation, or against any party complained of, or in such proportions against each of such parties as such person or persons so taxing such costs may think fit; and such certificate, so signed by the speaker, shall be conclusive evidence of all demands therein certified, and the party claiming under the same shall (upon receiving the amount so certified) give a receipt at the foot of such certificate, and such receipt shall be sufficient discharge for such costs and expences, 6 G. 4. c. 123. s. 1.

11. If any petitioner, agent, or other person liable to the payment of such costs and expences, shall refuse to pay the amount so certified by the speaker in any action which shall be commenced for the recovery of such costs and expences, such certificate so signed by the speaker as aforesaid shall have the force and effect of a warrant to confess judgment, and the court in which such action shall be commenced shall, upon motion and production of such certificate, order judgment to be entered up for the sum specified in such certificate, in like manner as if the defendant or defendants in any such action had signed a warrant to confess judgment in such action to that amount, 6 G. 4. c. 123. s. 2.

12. And whereas 52 G. 3. c. 11. was passed, intituled, *An Act to repeal*

an act passed in the 39th and 40th year of His present Majesty, for establishing certain regulations in the offices of the house of commons, and to establish other and further regulations in the said offices: and whereas it is expedient to repeal so much of the said act [viz. part of s. 15. Stat. Dig. tit. OFFICE, pl. 74.] as directs that certain offices under the sergeant at arms attending the house of commons, shall continue to be sold; be it therefore enacted, That so much of the said act shall be and the same is hereby repealed, 6 G. 4. c. 123. s. 3.

13. Provided, that if any person or persons shall have been appointed to any of the said offices during the present session of parliament, he or they shall be exempted and discharged from the payment of any sum of money for the same to which he or they is or are liable in pursuance of the said recited act, and he and they is and are hereby exempted and discharged accordingly, 6 G. 4. c. 123. s. 4.

PASSENGERS. See EMIGRATION.

1. To repeal the laws for regulating vessels carrying passengers from the U. K. to foreign parts, and to make other provisions in lieu thereof, 4 G. 4. c. 84. [REPE. except so far as it repeals any other act, 6 G. 4. c. 105. s. 36.]

2. Whereas it is expedient that the regulations established by various acts for carrying passengers from the U. K. to foreign parts should be repealed, and other regulations substituted; be it enacted, That from and after 1st Aug. 1823, the 43 G. 3. c. 56. intituled, *An Act for regulating vessels carrying passengers from the U. K. to H. M.'s plantations and settlements abroad, or to foreign parts, with respect to the number of such passengers*, [Stat. Dig. tit. EMIGRATION, pl. 2—6. s. 8—14. 17—26.,] and also 53 G. 3. c. 36. [Stat. Dig. tit. EMIGRATION, pl. 15. 27, 28.] for amending the 43 G. 3. c. 56., and also 56 G. 3. c. 83. [Stat. Dig. tit. EMIGRATION, pl. 31—42.] intituled, *An Act for regulating the carrying of passengers to and from the island of Newfoundland, and coast of Labrador*, and also 56 G. 3. c. 114. [Stat. Dig. tit. EMIGRATION, pl. 16.] intituled, *An Act to regulate the conveyance of passengers from the U. K. to the United States of America in British vessels*, and also 57 G. 3. c. 10. [Stat. Dig. tit. EMIGRATION, pl. 43—52.] intituled, *An Act to regulate the vessels carrying passengers from the U. K. to certain of H. M.'s colonies in North America*, shall be repealed, 4 G. 4. c. 84. s. 1.

3. For regulating vessels carrying passengers between G. B. and Ire., 4 G. 4. c. 88.

4. From and after the 1st of Sept. 1823, it shall not be lawful for the master or commander, or person having the charge or command of any vessel employed in the conveyance of passengers between G. B. and Ire., being of any burthen less than 200 tons, to take on board, or to carry any greater number of persons than 20 as passengers, from any port in G. B. to any port in Ire., or from any port in Ire. to any port in G. B., unless a licence for the conveyance of passengers shall have been previously granted to the owners, or master of such ship or vessel, under the hand of the collector, controller, or other chief officer of customs, at the port from which such vessel shall sail from G. B. to Ire., and from Ire. to G. B.; and it shall be lawful for every such collector, controller, or chief officer of customs, to grant and sign such licence without fee, in such form and under such regulations as shall be directed by the commissioners of customs: provided, that no such licence shall be granted, except upon such certificate as shall be required by the commissioners of customs, that such vessel is seaworthy and properly sound in all respects; and every such licence shall remain in force for one year from the date thereof, and no longer, 4 G. 4. c. 88. s. 1.

5. It shall not be lawful for any master, &c. of any ship or vessel so licensed for the conveyance of passengers, which shall clear out from any port in the U. K., after the 1st Sept. 1823, to have on board at or after being cleared out at any one time, or to convey, carry, or transport from any port in G. B. or Ire., in any such ship, &c., a greater number of persons (exclusive of the ordinary crew), than in the proportion of five adult persons, or of 10 children under 14, or of 15 children under seven years of age, for every four tons burthen; and every such ship, &c. shall be deemed to be of such tonnage or burthen as is described in her certificate of registry, and if any such ship or vessel shall be partly laden with goods, or horses, or carriages, then it shall not be lawful for the master, &c., to receive or take on board a greater number of persons (exclusive of the ordinary crew), than in the proportion of five adult persons, or of 10 children under 14, or of 15 children under seven years of age, for every four tons of that part of such ship or

vessel which shall remain unladen; and such goods, wares, or merchandize with which such ship or vessel may be partly laden shall, at the sight and under the direction of the collector or controller, or other officer of customs, be stowed and disposed of in such a manner as to leave good, sufficient, and wholesome accommodation for the proportion of persons allowed in such case to be received on board, 4 G. 4. c. 88. s. 2.

6. And if any master, &c. shall take on board any passengers, or if the owners of such ship or vessel shall engage to take on board any passengers beyond the number of 20, without such licence, every such master, or owner, shall for every offence forfeit 50*l.*; and if any master shall take on board, or if such master, or the owners, shall engage to take on board a greater number of persons than in the proportion allowed by this act, such master shall forfeit 5*l.* for every person, exceeding in number the proportion herein-before limited; and every such ship or vessel so having on board, or conveying or carrying any greater number than 20 persons without such licence first had, shall be seized and detained by the collector, controller, surveyor, or officer of customs, until such penalty of 50*l.* shall be satisfied, 4 G. 4. c. 88. s. 3.

7. After the 1st of Sept. 1823, it shall not in any case be lawful for any master, &c. of any trading or coasting ship or vessel, not being wholly employed in the conveyance of passengers, and not licensed to carry passengers, whether laden in part or in the whole with goods, not being the baggage of passengers, or employed in the carriage of cattle or pigs, or in ballast, and which shall sail from any port in G. B. to any port in Ire., or from any port in Ire. to any port in G. B., to take on board a greater number of persons than 10 (exclusive of the ordinary crew), if such ship or vessel shall be of the burthen of 100 tons or under, nor a greater number of persons than 20 (exclusive of the ordinary crew), if such ship or vessel shall be of a burthen greater than 100 tons, and not exceeding 200 tons; and if more persons shall be found or taken on board any such ship or vessel than in the proportion herein allowed, every such master shall forfeit 5*l.* for every person beyond such proportion, 4 G. 4. c. 88. s. 4.

8. An abstract of this act shall be prepared and printed by and under the direction of the commissioners of customs, and a printed copy of such abstract shall be hung up in the custom-house of every port of the U. K., and a printed copy of such abstract, and also a copy of the licence granted to the captain or owners of such ship or vessel, and a statement of the number of persons allowed to be carried in such vessel, shall be hung up in some conspicuous place on the deck, and in the cabin of every ship or vessel carrying passengers under this act; and the master, &c. shall cause the said copies to be kept and renewed, so that the same may be at all times accessible to every person on board, upon pain that every such master, &c. of every such ship or vessel, in which such abstract, licence, and notice, shall not be hung up, and shall not be renewed and remain as aforesaid, shall for every such offence forfeit 10*l.*, 4 G. 4. c. 88. s. 5.

9. Provided, that nothing in this act shall extend to ships or vessels in the service of H. M., or the post-master general, or of the commissioners of customs and excise, or of the E. I. C.; nor to any ship or vessel of the burthen of 200 tons or upwards, nor to any ship or vessel employed in carrying troops, 4 G. 4. c. 88. s. 6.

10. All penalties and forfeitures for any offence against this act may be recovered at any time within three calendar months after the commission of such offence, in a summary way, by the order and adjudication of any one justice of the peace of the county or place in which the port is situate, from which such ship, &c. shall depart, or at which such ship, &c. shall arrive, on complaint exhibited to him; and such penalty shall be levied, as well as the costs of such proceedings, on non-payment, by distress and sale of the goods of the offender, by warrant under the hand and seal of such justice; and such justice shall summon witnesses, and examine such witnesses upon oath touching such offence, and hear and determine the same; and the overplus (if any) of the money levied, after discharging penalty and costs, shall be returned upon demand to the owners of the goods distrained; and in case such penalty shall not be forthwith paid upon conviction, then it shall be lawful for such justice to order the offender to be kept in custody, until return can be made to such warrant of distress, unless the offender shall give security for his appearance before such justice on such day as shall be appointed for the return of such warrant of distress; such day not being more than seven days from the time of taking such security, and which security such justice may take by way of recognizance or otherwise; but if, upon the return of such warrant, it shall appear that no sufficient distress can be had, then it shall be lawful for such justice, or any other justice for the county, &c., by warrant under his hand and seal, to cause such offender to be committed to the gaol of such county, there to remain, without bail, for not exceeding two calendar months, unless such penalty or forfeiture, and all charges, shall be sooner paid; and one moiety of such penalty, when levied, shall be paid to the per-

son who shall prosecute, for his own use, and the other moiety to the use of H. M., 4 G. 4. c. 88. s. 7.

11. Provided, that if any person shall think himself aggrieved by any such conviction, it shall be lawful for such person to appeal to the justices at the next general quarter session to be holden for the county or place; such appellant (if there be sufficient time after the cause of complaint shall have arisen) first giving 10 days' notice in writing of his intention of bringing such appeal, and of the matter thereof, to the justice whose conviction is appealed against, and within seven days after such notice entering into a recognizance before the said justice or some other justice of the county or place, with two sufficient sureties conditioned to try such appeal, and to abide the order of sessions, and to pay such costs as shall be awarded by such quarter sessions; and for want of sufficient time for giving such notice, previous to the quarter sessions next after such cause of complaint arose, then such appeal, after such notice and under such recognizance, may be made at the second general quarter sessions for the county or place; and the justices at such first or second sessions, on due proof of such notice and recognizance, shall hear and finally determine the matter of appeal, in a summary way, and award costs to the parties appealing or appealed against, as they shall think proper; and the determination of such justices at such quarter sessions shall be final, binding, and conclusive; and the said justices at such sessions may also, by their warrant, cause such costs, so awarded, by distress and sale to be levied of the goods of the person who shall refuse or neglect to pay the same; and for want of sufficient distress may commit such person to the common gaol or house of correction, for not exceeding two calendar months, or until payment of such costs, 4 G. 4. c. 88. s. 8.

12. No proceedings under this act shall be quashed for want of form, nor be removed or removable by *certiorari*, or other process, into any court of record at *Dublin*; and where any distress shall be made for any sum of money to be levied under this act, the distress itself shall not be deemed unlawful, nor the parties making it trespassers, on account of any defect or want of form in the summons, conviction, warrant of distress, or other proceedings; nor shall the parties distraining, be deemed trespassers *ab initio*, on account of any irregularity afterwards committed; but the parties aggrieved may recover full satisfaction for the special damage (if any) in an action on the case; but no plaintiff shall recover in such action if tender of sufficient amends shall have been made by or on behalf of the party distraining, before action commenced, 4 G. 4. c. 88. s. 9.

13. Any action or suit commenced against any person for any thing done in pursuance and by authority of this act, shall be commenced within three calendar months next after the fact committed, and not afterwards, and shall be brought in the county, city, or place where the cause arose; and the defendants may plead the general issue, and give this act and the special matter in evidence at the trial, and that the same was done in pursuance thereof; and if it shall so appear, or if such action is brought after the time limited, or is laid in a wrong county, &c., then the jury shall find for the defendants, and upon such verdict, or if the plaintiff is nonsuited, or discontinues his action, or has a verdict given against him, the defendant shall recover double costs, and have the like remedy for the same as any other defendant hath for costs in other cases by law, 4 G. 4. c. 88. s. 10.

14. For regulating vessels carrying passengers to foreign parts, 6 G. 4. c. 116.

15. Whereas 6 G. 4. c. 105. [see *post*, tit. STATUTES.] was passed, intituled, *An Act to repeal the several laws relating to the customs*, in which it is declared, that the laws of the customs have become intricate by reason of the great number of acts relating thereto which have been passed through a long series of years, and that it is therefore highly expedient for the interest of commerce and the ends of justice, and also for affording convenience and facility to all persons who may be subject to the operation of those laws, or who may be authorized to act in the execution thereof, that all the statutes now in force relating to the customs should be repealed, and that the purposes for which they have from time to time been made should be secured by new enactments, exhibiting more perspicuously and compendiously the various provisions contained in them: and whereas by the said act the laws relating to the carrying of passengers to foreign parts will be repealed; and it is expedient to make new provisions in lieu thereof: be it therefore enacted, That from and after the 5th Jan. 1826., this act shall come into, and be and continue in full force and operation for regulating vessels carrying passengers to foreign parts, 6 G. 4. c. 116. s. 1.

16. No *British* ship carrying any passenger or passengers shall sail from any port or place in the U. K. to or for any port or place out of *Europe*, and not being within the streights of *Gibraltar*, with more persons on board, including the master and crew, than one for every five tons of her burthen, without a licence under the hands and seals of the commissioners of customs, under the penalty of 50*l.* for every person

exceeding such proportion, to be paid by the master of such ship: provided, that no such licence shall be granted for any ship to carry any greater number of persons, including the master and crew, than in the proportion of one person for every two tons of the burthen of such ship or vessel, except as herein-after provided in the case of ships sailing from *Ireland* to the *British* possessions in *North America*; provided also, that two children under 14 years of age, or three children under seven years of age, shall in all cases be computed as one person, for the purposes herein-before mentioned, 6 G. 4. c. 116. s. 2.

17. It shall not be lawful for the master of any ship laden with goods and merchandize for exportation, which shall sail from any port or place in the U. K. to or for any port or place out of *Europe*, and not being within the streights of *Gibraltar*, to receive or take on board a greater number of persons, including the master and crew, computed as aforesaid, than in the proportion of one person for every two tons of such ship remaining unladen with goods and merchandize, under the penalty of 20*l.* for every person exceeding such proportion, to be paid by the master of such ship: provided, that every clear integral space between the deck and the cargo of every ship which shall have but one deck, or between the decks of any ship having more decks than one, such space being unoccupied with goods or merchandize, or with stores, provisions, water, or baggage, and being six feet in length, two feet six inches in breadth, and being of the whole of the height between decks, or being five feet six inches in height, if there be only one deck, shall be deemed to be and shall be equivalent to two tons of such ship remaining unladen, 6 G. 4. c. 116. s. 3.

18. Every *British* ship shall be deemed to be of such burthen as is set forth in the certificate of the registry of such ship, and the burthen of every foreign ship shall be ascertained by admeasurement, in the manner directed by any act now in force or hereafter to be made respecting the admeasurement of *British* ships for the purpose of being registered, 6 G. 4. c. 116. s. 4.

19. The master of every *British* ship carrying passengers as aforesaid, and having more persons on board, including the master and crew, computed as aforesaid, than one for every five tons of the burthen of such ship, previously to his leaving the port from whence he shall be bound, shall deliver to the collector and controller of customs at such port a list containing the full number of the crew, and also the number of the passengers, with their names, ages, and descriptions, and the places to which they are to be respectively conveyed, for the purpose of being registered at such port; and if the number of such persons shall exceed 50., such ship shall not be cleared out, unless the owner or owners, or the master, shall have given bond to H. M. with two sufficient sureties, such bond to be without stamp, and to be taken by and left in the hands of the collector or controller of the customs of the port from whence such ship shall be cleared out, in an amount equal to the sum of 20*l.* for each passenger, whether child or adult, on board such ship, with condition that such ship is seaworthy, and properly stored with water and provisions, and shall have for the voyage a surgeon, with a medicine-chest properly stored with medicines, as herein-after provided; and that every such passenger, if alive, shall be landed at the port or ports to which such passenger shall have contracted to be conveyed, unless landed elsewhere at his or her own desire, 6 G. 4. c. 116. s. 5.

20. If the master of any *British* ship, having a licence to carry passengers in the manner herein-before directed, shall take on board, or if he or the owner or owners of any such ship shall engage to take on board, any person or persons exceeding the number mentioned and specified in such licence, such master, owner or owners, shall severally forfeit and pay the sum of 50*l.* for each and every person so taken or engaged to be taken beyond the persons specified in such licence, 6 G. 4. c. 116. s. 6.

21. Every such ship, having a licence as aforesaid, shall be provided with such a supply of good and wholesome water as will afford an allowance of five pints of water daily during the voyage for every person (including the master and crew), and computing two children under 10 years of age as one person, which supply of water shall be stowed below the lower deck, if there be two decks, or five feet six inches at least below the deck, if there be only one deck; and every such ship shall also be provided with such a supply of provisions as will afford an allowance for every such person, during the voyage, of one pound weight of bread or biscuit, and one pound weight of beef, or three quarters of a pound weight of pork, daily, and also two pounds weight of flour, and three pounds weight of oatmeal, or of pease, or of pearl barley, and half a pound weight of butter, weekly; the said allowance to commence on and be computed from the day the ship takes her departure from the port at which she shall be cleared outwards, 6 G. 4. c. 116. s. 7.

22. The master of such ship failing to give out the allowance of provisions and water herein-before specified, if required to do so, shall forfeit the sum of 10*l.* of lawful money for each and every such neglect or omission, 6 G. 4. c. 116. s. 8.

23. Provided, that if any passenger who has entered into any contract

or agreement for the voyage on board any such ship, shall signify to the collector or controller, or other proper officer of the customs, or to any justice of the peace or other magistrate, in the U. K., that he or she is desirous of being relanded, and of not proceeding on any such voyage, it shall and may be lawful to and for such collector or controller, or other proper officer of the customs, or for such justice of the peace or other magistrate, and they are hereby empowered and required, to take such passenger, together with his or her baggage, out of the ship, and to set such passenger free from his or her engagement, reserving to either party any legal claim which may arise in consequence thereof, 6 G. 4. c. 116. s. 9.

24. If after any such ship shall have been cleared out the master of any such ship shall unship or reland, or permit or suffer to be unshipped or relanded, any water or provisions, such master shall forfeit the sum of 500*l.*: provided, that if any passenger shall be relanded, and shall not proceed, then it shall and may be lawful for such master to unship or reland, under the inspection of the proper officers of the customs, at the port where such passenger shall be relanded, a quantity of water and provisions not exceeding the proportion sufficient for the allowance of every such passenger so relanded, 6 G. 4. c. 116. s. 10.

25. The bedding of each and every passenger on board any such ship shall be aired by exposure upon the deck, when the weather will permit, daily during the voyage; and such ship shall be fumigated with vinegar at least twice in every week during the voyage; and the master of such ship shall forfeit and pay the sum of 20*l.* for each failure or neglect in airing the said bedding, or in fumigating the ship, 6 G. 4. c. 116. s. 11.

26. No *British* ship having a licence to carry passengers as aforesaid, carrying 50 persons or upwards, including the master or crew, computed as aforesaid, shall be cleared out at any port of the U. K., unless such ship shall be provided with a surgeon, who is to continue during the whole of the voyage, and who shall produce, to the officer of the customs at the port where the ship is to be cleared, a certificate of his having passed his examination at Surgeons'-hall in *London*, or at the royal college of surgeons of *Edinburgh* or *Dublin*, or before the medical faculty of the university of *Glasgow*, 6 G. 4. c. 116. s. 12.

27. Every such surgeon shall have a medicine chest properly stored with medicines in proportion to the number of persons on board such ship, of the kind and according to the assortment generally used and made for the like voyages on board of H. M.'s ships of war; and before any such ship shall be allowed to be cleared out, such surgeon shall specify upon oath, before the collector or controller of the customs at the port from whence such ship is to be cleared out, the contents of such medicine-chest; and shall further make oath, that the medicines are of good and proper quality, and of the assortment generally used and made for the like voyages on board of H. M.'s ships of war, to the best of his knowledge and belief, and that he is engaged, and does intend to go the voyage as surgeon on board such ship; and the affidavit of every such surgeon shall be deposited and preserved in the custom-house where the clearance of such ship shall be granted; and the owner or master of every such ship failing to provide a surgeon so qualified, and a medicine-chest properly stored as aforesaid, shall forfeit and pay the sum of 20*l.* for every person on board, including the master and crew, 6 G. 4. c. 116. s. 13.

28. And whereas it is expedient that some certain mark should be placed on certain *British* ships or vessels carrying passengers, that they may at all times be known at sea by H. M.'s ships and vessels of war or revenue; be it therefore enacted, That the letter P. shall be painted in white at least three feet in length, and of proportionate width, on the quarters of every *British* ship carrying passengers as aforesaid, and having more persons on board, including the master and crew, computed as aforesaid, than one for every five tons burthen of such ship, under the penalty of the forfeiture of 100*l.* by the master of such ship on failure of having such mark, 6 G. 4. c. 116. s. 14.

29. All captains and officers commanding H. M.'s ships of war or revenue vessels, who shall meet any such *British* ship at sea, and the collectors and controllers of customs at any port in the U. K., or in the *British* possessions, and the governors and lieutenant-governors at any such possessions, and H. M.'s consuls at any foreign port, shall and may, and they are hereby empowered and required to call upon the master of any such ship to produce the licence granted by the commissioners of customs, for the purpose of inspection and examination, and to ascertain whether the regulations of this act have been duly complied with; and in case the master of any such ship shall refuse or fail to produce the said licence he shall forfeit the sum of 200*l.*, 6 G. 4. c. 116. s. 15.

30. Provided, that nothing in this act contained shall extend or be deemed or construed to extend to ships in the service of H. M., or of H. M.'s postmaster-general, or of the *E. I. C.*, or to any ship bound to the fisheries at *Newfoundland*, or on the coast of *Labrador*, 6 G. 4. c. 116. s. 16.

31. Provided, that: it shall be lawful for the treasury, by any order or

direction to be issued by them from time to time for that purpose, to exempt from the operation of this act, or of any of the provisions herein contained, any ship or vessel carrying passengers from *Ire.* to the *British* possessions in *North America*; and that any such ship or vessel so exempted by any such order or direction, and complying with the conditions of the same, shall not be subject to any of the conditions and forfeitures imposed by this act touching any of the matters to which any such order or direction shall apply, 6 G. 4. c. 116. s. 17.

32. No foreign ship, carrying any passenger or passengers, shall sail from any port or place in the U. K. to or for any port or place out of *Europe*, and not being within the streights of *Gibraltar*, with more persons on board, including the master and crew, than one for every five tons burthen of such ship, (unless special permission shall be given for that purpose by the commissioners of customs), under penalty of 50*l.* for every person exceeding such proportion, to be paid by the master of such ship or vessel, 6 G. 4. c. 116. s. 18.

33. Provided, that during the continuance of any convention of commerce and navigation between H. M. and any foreign state, whereby the privileges of *British* ships shall be conceded to the ships of such foreign state, so much of this act as relates to *British* ships shall extend and be construed to extend to ships belonging to such states, during the existence of such convention, and carrying more passengers than other foreign ships are by this act permitted to carry, 6 G. 4. c. 116. s. 19.

34. All sums of money, penalties, and forfeitures in this act mentioned and contained, shall be calculated and paid and payable within *G. B.* and *Ire.* in lawful money of *G. B.*; and that any penalty or forfeiture inflicted by this act may be prosecuted, sued for, and recovered by action of debt, bill, plaint, or information in any of H. M.'s courts of record at *Westminster* or *Dublin*, or in the court of exchequer, or in the court of session in *Scot.*, in the name of H. M.'s attorney general for *Eng.* or *Ire.*, or advocate for *Scot.* respectively, or in the name of any person or persons whatsoever, wherein no essoign, protection, privilege, wager of law, or more than one imparlance shall be allowed; and in every action or suit the person against whom judgment shall be given for any penalty or forfeiture under this act, shall pay double costs of suit; and every such action or suit shall and may be brought at any time within three years after the offence committed, and not afterwards; and one moiety of every penalty to be recovered by virtue of this act shall go and be applied to H. M., and the other to the use of such person or persons as shall first sue for the same, after deducting charges of prosecution from the whole, 6 G. 4. c. 114. s. 20.

35. If any action or suit shall be brought or commenced against any person or persons for any thing done in pursuance of this act, the defendant in such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear to be so done, then the jury shall find for the defendant; and upon such verdict, or if the plaintiff shall become nonsuited, or discontinue his action, or if a verdict shall pass against the plaintiff, or upon demurrer judgment shall be given against such plaintiff, the defendant shall recover double costs, and have the like remedy for the same as any defendant hath for costs of suit in any other cases by law, 6 G. 4. c. 116. s. 21.

PENITENTIARY.

1. To authorize for one year, and from thence to the end of the next session of parliament, the temporary removal of convicts from the general penitentiary, 4 G. 4. c. 82.—EXPIRED.

2. To provide for the future confinement of male convicts removed from the general penitentiary, and now on board vessels in the river *Thames*, 5 G. 4. c. 19.

3. Reciting 4 G. 4. c. 82., and that by virtue thereof certain offenders have been removed from the said penitentiary, and were then confined on board vessels provided for that purpose, and lying in the river *Thames*; and whereas it is expedient to place such of the said offenders as are males under the management of the superintendent and overseers appointed, or to be appointed, under 56 G. 3. c. 27. [*Stat. Dig. tit. TRANSPORTATION, pl. 23. See post, TRANSPORTATION.*] intituled, *An Act to amend several laws relative to the transportation of offenders, to continue in force until the 1st May 1821*; be it therefore enacted, That from and after the passing of this act [12th April, 1824], the vessels so provided for male offenders, under and by virtue of the said first recited act, shall be under the management of the said superintendent and overseers appointed, or to be appointed by H. M., under and by virtue of the 56 G. 3. c. 27.; and that the said male offenders shall be subject to the same treatment, discipline, correction, clothing, and diet, as

other offenders, under and by virtue of the said last recited act, and shall be confined on board the said vessel, or on board other vessels, provided or to be provided under the said last recited act, until they shall become entitled to their liberty, 5 G. 4. c. 19.

PILOTAGE.

1. For the amendment of the law respecting pilots and pilotage; and also for the better preservation of floating lights, buoys, and beacons, 6 G. 4. c. 125. [PUBLIC CLAUSE, s. 92.]

2. Whereas ships and vessels have frequently been wrecked, and many lives and much property have been lost, from the ignorance or misconduct of persons taking charge of such ships and vessels as pilots: And whereas the master, wardens, and assistants of the guild, fraternity, or brotherhood of the most glorious and undivided Trinity, and of *Saint Clement* in the parish of *Deptford Strond* in the county of *Kent*, commonly called "The Corporation of Trinity-house of *Deptford Strond*," have, as well by usage for more than three centuries, as by grants from the crown, been empowered to appoint pilots, loadsmen, or guides, to conduct ships and vessels into and out of and upon the river of *Thames*, through the *North Channel*, to or by *Orfordness*, and round the *Long Sand Head*, or through the *Queen's Channel*, the *South Channel*, or other channels into the *Downs*, and from and by *Orfordness* and up the *North Channel*, and up the rivers *Thames* and *Medway*, and the several creeks and channels belonging or running into the same, and to make such orders and constitutions as should be needful for the wholesome government of seafaring men, and maintenance and increase of navigation, and of all seafaring men within the said river of *Thames*: in pursuance of which powers the said corporation have from time to time appointed a sufficient number of pilots for the purposes before-mentioned, and made orders for the better regulation and government of the same: And whereas there hath been time out of mind, and now is, a society or fellowship of pilots of the Trinity-house of *Dover*, *Deal*, and the *Isle of Thanet*, who have had the pilotage and loadmanage of all ships from the said places up the rivers *Thames* and *Medway*, which said society or fellowship have been confirmed by various acts of parliament for regulating the pilots of the society or fellowship of pilots of *Dover*, *Deal*, and the *Isle of Thanet*, commonly called "Cinque Port Pilots:" And whereas by certain acts of parliament, and more particularly by 52 G. 3. c. 39. [Stat. Dig. this title, pl. 1—11. 13—85.], intituled, *An Act for the more effectual regulation of pilots, and of the pilotage of ships and vessels on the coast of Eng.*, certain additional powers and authorities were vested as well in the said corporation of Trinity-house of *Deptford Strond*, and the said society or fellowship of pilots of *Dover*, *Deal*, and the *Isle of Thanet*, commonly called "Cinque Port Pilots," as also in the corporation of the Trinity-house of the ports of *Hull* and *Newcastle* respectively: And whereas 55 G. 3. c. 87. [Stat. Dig. this title, pl. 99—103.], intituled, *An Act to relieve certain foreign vessels resorting to the port of London, in respect of pilotage, and to regulate the mode of payment of pilotage on foreign vessels in the said port*: And whereas the provisions of the said acts have been found inadequate and insufficient, and it is therefore expedient that the same should be repealed (except as herein-after provided), and that the several provisions therein contained respecting pilots and pilotage should be improved and amended and consolidated in one law; be it enacted, That the 52 G. 3. c. 39., and 55 G. 3. c. 87., and all and every the clauses, provisions, powers, penalties, forfeitures, matters, and things, relating as well to pilots appointed by the said corporation of Trinity-house of *Deptford Strond*, as to pilots of the fellowship of *Dover*, *Deal*, and the *Isle of Thanet*, and to the pilotage by and regulation of all such pilots as aforesaid, and also as to the conduct of all persons in matters of pilotage, within the jurisdiction of the said corporation of Trinity-house of *Deptford Strond*, and the liberty of the cinque ports, which are contained in any act [viz. 53 G. 3. c. 140. Stat. Dig. this title, pl. 12. 84—98.] or acts of parliament heretofore made, shall be and the same are hereby repealed; provided, that nothing in this act contained shall extend or be construed to extend to repeal so much of the said acts, passed in the 52d and 55th years of the reign of His late Majesty, or either of them, as relates to any rates of pilotage due or to become due, or to any penalty or forfeiture incurred or to be incurred, or any other act, matter, or thing done or to be done before the commencement of the operation of the provisions of this act, in relation to any such matters and things as last aforesaid, 6 G. 4. c. 125. s. 1.

3. From and after the passing of this act [5th July 1825], it shall be lawful for the said corporation of Trinity-house of *Deptford Strond*, and they are hereby required, after due examination, to appoint and license, under their common seal, fit and competent persons duly skilled

to act as pilots, for the purpose of conducting all ships and vessels sailing, navigating, and passing as well up and down or upon the rivers of *Thames* and *Medway*, and all and every the several channels, creeks, and docks thereof or therein, or leading or adjoining thereto, between *Orfordness* and *London Bridge*, as also from *London Bridge* to the *Downs*, and from the *Downs* westward as far as the *Isle of Wight*, and in the *English Channel*, from the *Isle of Wight* up to *London Bridge*; and all ships and vessels sailing, navigating, and passing as aforesaid (save and except as herein-after provided), shall be conducted and piloted within the limits aforesaid, by such pilots so to be appointed and licensed, and by no other pilots or persons whomsoever: provided, that it shall be lawful for all pilots heretofore licensed by the said corporation of Trinity-house of *Deptford Strond*, until the 31st Jan. [1826] next after the passing of this act, and whilst their licences shall respectively continue in force, but no longer, to pilot or conduct any ships or vessels within such limits as such pilots might lawfully have conducted and piloted the same immediately before the passing of this act; and the licences so heretofore granted to such pilots respectively as aforesaid, shall, unless revoked or suspended, as herein-after mentioned, continue in force notwithstanding this act, until the said 31st Jan., so that such pilots respectively do in all things conform themselves to the provisions of this act, and the by-laws, rules, orders, and regulations herein-after directed to remain in force, or to be established under the same, 6 G. 4. c. 125. s. 2.

4. No person shall be licensed by the said corporation of Trinity-house of *Deptford Strond* as a pilot, who shall not have served as mate for three years on board of, or who shall not have been for one year in the actual command of a square-rigged vessel of not less than 80 tons register tonnage, as to licences for the *North Channel* upwards, and not less than 150 tons register tonnage, as to licences for the *North Channel*, *Queen's Channel*, *South Channel*, or other channels downwards, or who shall not have been employed in the pilotage or buoyage service of the said corporation of Trinity-house for seven years, or who shall not have served an apprenticeship of five years to some pilot vessel licensed under the 52 G. 3. c. 39., or under this act; and that no person so licensed shall take charge as a pilot of any ship or vessel drawing more than 14 feet water in the river *Thames* or *Medway*, or any of the channels leading thereto or therefrom, until such person shall have acted as a licensed pilot for three years, and shall have been after such three years, on re-examination, approved of in that behalf by the said corporation of Trinity-house, on pain of forfeiting 10*l.* for every such offence, as well by the person acting as such pilot, as also by the master or other person having the command of such ship or vessel, who shall permit any such person to take charge as a pilot of the same, contrary to the provision aforesaid, 6 G. 4. c. 125. s. 3.

5. Each and every pilot already licensed by the said corporation of Trinity-house of *Deptford Strond*, or to be licensed by the said corporation under this act (except only such pilots as have been or shall be so licensed by the said corporation, upon their receiving certificates of examination by any sub-commissioners of pilotage), as in the 52 G. 3. c. 39., and herein-after directed in lieu and satisfaction of and for all the ancient and accustomed duties heretofore payable by such pilots to the said corporation, shall from time to time and at all times hereafter pay or cause to be paid to the said corporation, or to such person as they shall appoint to receive the same on their behalf the sum of three guineas, in the month of *Jan.* yearly; and that each and every pilot so licensed, or to be licensed by the said corporation as aforesaid, as well upon receiving such certificates as aforesaid, as otherwise howsoever, shall also from time to time and at all times, from and after the 1st *July* next, pay or cause to be paid to the said corporation, or to such person and at such places and times as the said corporation shall in that behalf appoint, a certain poundage of 6*d.* in the pound upon all the pilotage earned by each and every of such pilots, from the said 1st *July* inclusive, on pain of forfeiture for default of any of the payments aforesaid, or for any concealment or fraud therein or relating thereto, double the amount payable, and of being suspended or dismissed from acting as a pilot, at the discretion of the said corporation; which said payments hereby directed to be made as aforesaid shall be carried to and applied to the purposes of the pilots' fund of the said corporation herein-after mentioned, 6 G. 4. c. 125. s. 4.

6. It shall be lawful for the said corporation of Trinity-house of *Deptford Strond*, and they are hereby required to appoint from time to time (as often and for such periods as they in their discretion shall think fit) proper and competent persons, at such ports or places in *Eng.* as they may think requisite (except within the liberty of the cinque ports, and all such other ports and places within or for which particular provision shall have been made by any act of parliament, or by any charter for the appointment of pilots), not to exceed five nor less than three persons at each port or place for which any such appointment shall be made, which persons to be appointed shall be called sub-commissioners of pilotage, and shall take the oath in the schedule hereunto annexed, marked (C.), for the faithful discharge of their duty; and such persons so to be ap-

pointed shall examine, and they are hereby authorized (so long as their respective deputations or appointments shall not be revoked or superseded by the appointment of other persons in their places) to examine into the qualification of persons to act as pilots for such respective ports and places, and the adjoining coasts specified in their respective deputations or appointments as aforesaid; and it shall be lawful for the said corporation, upon their receiving a satisfactory certificate under the hands of any three of the persons so to be appointed, where the whole number at any port or place shall consist of four or five, and of any two where the whole number shall consist of three, that the person examined as aforesaid is duly qualified to act for such port or ports and the adjoining coasts, to give a licence to such person to act as a pilot within the particular limits (describing the same) for which he shall have passed such examination, 6 G. 4. c. 125. s. 5.

7. Provided, that it shall be lawful for the corporation of the Trinity-houses of the ports of *Hull* and *Newcastle* respectively, to appoint sub-commissioners of pilotage to examine pilots, and give licences for them to pilot ships and vessels into or out of any ports, harbours, or places within the limits of their respective jurisdictions, any thing in this act contained to the contrary notwithstanding: provided, that such sub-commissioners as have been already appointed, either by the said corporation of Trinity-house of *Deptford Strond*, or by the said corporations of the Trinity-houses of the ports of *Hull* and *Newcastle* respectively, under the authority of any act of parliament heretofore passed, shall continue to act in the same manner as if they were appointed under this act, 6 G. 4. c. 125. s. 6.

8. When and as soon as the said corporation of Trinity-house of *Deptford Strond* shall have licensed pilots for any particular port or ports, and the respective coasts near the same as aforesaid, they shall cause notice of such licences to be published by fixing up such notice in writing at the Trinity-house and at the custom-house in *London*, and also at the respective custom-houses of the ports for which, and for the coasts near the same, such licences shall be granted, and shall also afterwards cause such notice to be published in the *London Gazette*, and in one or more of the newspapers circulated in that part of the country where the ports shall respectively be situated, which publication in the *London Gazette* shall be good and sufficient evidence of such notice having been given; and from and after a time or times to be limited in the said notice, which shall not in any case, or in relation to any ships or vessels whatever, be less than six weeks from the publication thereof as aforesaid, and shall be proportionably more at the discretion of the said corporation, in relation to ships and vessels engaged in foreign voyages at the time of such publication, all ships and vessels sailing, navigating, or passing into or out of the said respective ports, or upon the coast thereof (save and except as herein-after mentioned) shall be conducted and piloted by such pilots only as shall be so licensed as aforesaid, and by no other pilots or persons whomsoever, 6 G. 4. c. 125. s. 7.

9. It shall be lawful for the said corporation of Trinity-house of *Deptford Strond*, and they are hereby authorized and required to establish, vary, and alter from time to time, as circumstances shall render the same necessary, rates of pilotage, in relation to all pilotage performed in any river, port, or place, or upon any coast whatever, by any pilot or pilots already licensed, or who shall be licensed by the said corporation, upon their receiving certificates of examination from sub-commissioners of pilotage as aforesaid, which rates shall be regulated by and proportioned as well to the size and draught of water of the vessels, as to the distance piloted, the detention and responsibility of the pilot, and such other circumstances as the said corporation may think fit to take into consideration in fixing and establishing such rates; of which establishment or alteration of rates of pilotage notice shall be given, by hanging up printed tables thereof, corrected from time to time as variations therein shall be made, at the several custom-houses at the ports to which the said rates shall apply; and no greater or less rates, or other reward or emolument for such pilotage, shall under any pretence whatever be demanded, solicited, received, paid, or offered, on pain of forfeiting 10*l.* for every such offence, as well by the person demanding, soliciting, or receiving, as by the person paying or offering such greater or less rates, reward, or emolument: provided that ships returning by distress of weather, contrary winds, or on account of accident, into ports in the districts of the *Isle of Wight*, *Plymouth*, and *Falmouth*, shall be subject to pay one-half of the common pilotage in the said ports, 6 G. 4. c. 125. s. 8.

10. Provided, That if the major part in number of the pilots who shall be licensed by the said corporation of Trinity-house of *Deptford Strond*, for any particular port or place, in consequence of their receiving certificates of examinations as aforesaid, shall be dissatisfied with the rates so established or altered for such port or place; or in case any owner of any ship or vessel interested in any such rates shall be dissatisfied therewith, it shall be lawful for such parties respectively to appeal to H. M. in council, and for any committee of such privy council, calling to

their assistance any such persons as they may think fit, to hear and determine the matter of such appeal, and to settle, alter, and regulate such rates as to them shall appear to be expedient, in case the matter of such appeal shall, in the discretion of the said privy council, or committee thereof, appear to require the making of any order therein, 6 G. 4. c. 125. s. 9.

11. All and every the licences to be granted under this act, by the said corporation of Trinity-house of *Deptford Strond*, shall be granted in the first instance up to and until the 31st of *Jan.* next ensuing the date thereof, and no longer; and that the same licences, and also all and every the licences heretofore granted by the said corporation of Trinity-house of *Deptford Strond*, and which shall be in force at the time of the passing this act, shall and may be renewed and confirmed from year to year, up to and until the 31st *Jan.* in every year, and no longer, at the discretion of the said corporation, such renewal and confirmation to be by indorsement on such licences respectively, signed by the secretary to the said corporation for the time being, or by such other person or persons as shall or may be thereunto authorized by the said corporation, 6 G. 4. c. 125. s. 10.

12. All persons licensed to act as pilots, or in pilot vessels, by the said corporation of Trinity-house of *Deptford Strond*, by virtue of this act, shall from time to time and at all times hereafter be subject to the regulations and government of the said corporation, who are hereby authorized and empowered, as well for ensuring the good conduct and constant attendance of such pilots upon their duty, as for enforcing the general purposes of this act, from time to time to make and frame all such bye-laws, rules, orders, regulations, and ordinances as they shall think fit, therein specifying and directing also what annual or other sums shall be paid by any such pilots to the sub-commissioners of pilotage, for the examination of such pilots, and for granting and renewing or confirming their licences from time to time; and it shall be lawful for the said corporation respectively to annex such reasonable penalties and forfeitures for the breach of such bye-laws, &c. when made, as to them shall seem expedient in that behalf; and from time to time to annul, alter, and amend all or any of the existing bye-laws, &c., and to make such other and new bye-laws, &c. as they shall think proper, so as such bye-laws, &c. be made conformable to the true intent and meaning of this act, and shall not be repugnant to the laws of this realm: provided, that no bye-laws, &c. hereafter to be made by the said corporation, shall have force or effect before they shall have been examined, sanctioned, and approved by the chief justice of the courts of K. B., or C. P., the sanction and approbation of either of which chief justices shall be verified under his hand and seal; and all and every such bye-laws, &c., when so made and confirmed as aforesaid, shall be observed and kept and put in execution, and have the same force and effect and operation, to all intents and purposes, as if the same were respectively enacted by this act, 6 G. 4. c. 125. s. 11.

13. And in order that all such bye-laws, &c. may be previously examined by the parties interested therein, be it further enacted, That copies of all such proposed bye-laws, &c. shall be transmitted to H. M.'s privy council, and to the commissioners of customs in *London*, three calendar months before the same shall be submitted to such chief justice as aforesaid; and the commissioners of the customs are hereby required, upon the receipt of such copy, to cause the same to be printed and hung up, as soon as the same can be done, in the several custom-houses of the principal ports in *G. B.*, there to be open to the inspection of all persons interested therein at all seasonable times; and notice shall be given in the gazette of such proposed bye-laws being so hung up for inspection as aforesaid, 6 G. 4. c. 125. s. 12.

14. All such bye-laws, &c. as shall be so made and confirmed as aforesaid, shall be printed, and shall be hung up in some public or conspicuous place in the several custom-houses of the ports of *Eng.*, within the limits for which the pilots respectively shall be licensed, and also at the Trinity-house in *London*, 6 G. 4. c. 125. s. 13.

15. From and after the passing of this act [5th July 1825], it shall and may be lawful for the lord warden of the cinque ports and constable of *Dover* castle, or his lieutenant for the time being, and they are hereby required to appoint and licence fit and competent persons duly skilled as pilots, for the purpose of conducting all ships and vessels sailing, navigating, and passing from or by *Dungeness*, up the rivers *Thames* and *Medway* to *London Bridge* and *Rochester Bridge*, and all and every the several channels, creeks and docks of the same, and from the south buoy of the *Brake* to the westward, as far as the west end of the *Owers*; and all ships and vessels sailing, navigating, and passing as aforesaid (save and except as herein-after provided), shall be conducted and piloted within the limits aforesaid, by such pilots so appointed and licensed, and by no other pilots or persons whomsoever: provided, that it shall be lawful, after the passing this act, for any pilot or pilots heretofore licensed by the said lord warden and constable for the time being, or his lieutenant for the time being, to pilot or conduct any ship or vessel within such limits as such pilot or pilots might lawfully have

conducted and piloted the same immediately before the passing of this act; and the licences so heretofore granted to such pilots as aforesaid shall continue in force notwithstanding this act, so that such pilots do in all things conform themselves to the provisions of this act, and the rules and regulations herein-after directed to remain in force or be established under the same, 6 G. 4. c. 125. s. 14.

16. No person shall, from and after the passing of this act [5th July 1825], take charge of any ship or vessel, as a pilot belonging to the society or fellowship of pilots of *Dover*, *Deal*, and the *Isle of Thanet*, commonly called "Cinque Port Pilots," before he shall be examined by the master and two wardens, or by four wardens of the said society or fellowship for the time being touching his abilities, and shall be approved and admitted into the society or fellowship of the Trinity-house of *Dover*, *Deal*, and the *Isle of Thanet*, by the lord warden of the cinque ports, and constable of *Dover* castle for the time being, or his lieutenant for the time being; and if any person shall presume to act as a pilot belonging to the said society or fellowship, without having been so examined, approved, and admitted as aforesaid, every such person shall for the first offence forfeit 10*l.*, for the second 20*l.*, and for every other offence 40*l.*, 6 G. 4. c. 125. s. 15.

17. No person belonging to the said society or fellowship of pilots of *Dover*, *Deal*, and the *Isle of Thanet*, commonly called "Cinque Port Pilots," shall, from and after the passing of this act, be allowed to take charge as a pilot of any ship or vessel drawing more than 11 feet 6 inches water, until he shall have been licensed and acted as a pilot for three years; or of any ship or vessel drawing more than 14 feet water, until he shall have been licensed and acted as a pilot for two years more, making five years; or of any ship or vessel drawing more than 17 feet water, until he shall have been licensed and acted as a pilot two years more, making seven years in the whole; and at the expiration of such period of seven years, such pilot shall be again examined as to his fitness and competency, and if he shall be approved of, and licensed on such examination, shall be authorized and allowed and entitled to take charge of any ships or vessels of any draught of water, 6 G. 4. c. 125. s. 16.

18. The master, and such wardens of the said society or fellowship of pilots of the Trinity-house of *Dover*, *Deal*, and the *Isle of Thanet*, as shall be appointed from time to time to examine into the skill and ability of any person on his being first admitted as a pilot in the said society or fellowship, or after he shall have been licensed and served for seven years, shall take the oath marked (B.) in the schedule hereunto annexed, to be administered unto him or them respectively by the registrar of the court of loadmanage, who is hereby authorized to administer such oath, 6 G. 4. c. 125. s. 17.

19. A proper and sufficient number of pilots of the cinque ports, not less than 18 at any one time, and in succession from time to time, without intermission or any unnecessary delay, shall at all seasonable times, by day and night, constantly ply at sea, or be afloat between the *South Foreland*, and *Dungeness*, to take charge of ships and vessels coming from the westward; and such pilots shall not allow any ship or vessel, having a signal for a pilot flying, to pass without attempting to board her; and that upon proper signals being made at and from signal-houses now erected, or which may be erected on commanding situations near to *Dover* for that purpose, giving notice of the approach of any fleet of ships or vessels coming from the westward, all cinque port pilots not on duty at the time shall, according to such rules and regulations as to number, rotation, or otherwise, as have been or shall be made in that behalf, forthwith to prepare to go afloat, and shall go off in sufficient time to fall in with such ships and vessels, on pain of forfeiting, in case of neglect herein, for the first offence the sum of 20*l.*, and for the second the offender shall be suspended from acting as a pilot for 12 months, and for the third offence shall forfeit his licence to act as such pilot, and shall be rendered thereby incapable of acting thereafter as a pilot, 6 G. 4. c. 125. s. 18.

20. The master or other person having the command of any ship or vessel, coming from the westward, and bound to any place in the rivers of *Thames* or *Medway*, not having a duly qualified cinque port pilot on board, shall, on the arrival of such ship or vessel off *Dungeness*, and until she shall have passed the south buoy of the *Brake*, or a line to be drawn from *Sandown* castle to the said buoy, or have been at anchor for one hour, as herein-after mentioned, display and keep flying the usual signal for a pilot to come on board; and if any duly qualified cinque port pilot shall be within hail or approaching and within half a mile, with the proper distinguishing flag flying in his vessel or boat, the master or other person having the command of such ship or vessel shall, by heaving to in proper time or shortening sail, or by all practicable means consistently with the safety of the ship or vessel, facilitate such pilot getting on board, and shall give the charge of piloting his ship or vessel to such cinque port pilot; and every person commanding any such ship or vessel, who shall not display and keep flying the usual signal for a pilot to come on board, from the time such ship or vessel shall have ar-

rived off *Dungeness*, and until she shall have passed the south buoy of the *Brake*, in a line to be drawn from *Sandown* castle to the said buoy (unless in the mean time a duly qualified cinque port pilot shall have come on board), or who shall within the limits aforesaid decline to take on board the first duly qualified cinque port pilot who shall offer, or to give charge of his ship or vessel to such duly qualified cinque port pilot, or who shall not heave to, shorten sail, or otherwise consistently with the safety of the ship or vessel facilitate such pilots coming on board as aforesaid, shall forfeit and pay double the amount of the sum which would have been demanded for the pilotage of such ship or vessel: provided, that if any ship or vessel coming from the westward, and bound to any place in the rivers *Thames* or *Medway*, shall anchor any where in the *Downs* between the *South Foreland*, and a line drawn from *Sandown* castle to the south buoy of the *Brake*, having any licensed pilot other than a duly qualified cinque port pilot on board, it shall not be necessary for the master of such ship or vessel to display or keep flying the usual signal for a pilot to come on board thereof, any longer than for and during one hour next after such ship or vessel shall so have anchored as aforesaid; and it shall be lawful for any duly qualified cinque port pilot at any time before such ship or vessel shall have been at anchor one hour with such signal flying as aforesaid, to repair on board the same, and to take charge of her up the said rivers, but not otherwise, 6 G. 4. c. 125. s. 19.

21. And whereas the pilots of the cinque ports are divided into two parts or classes, called "The Upper" and "Lower-Book Pilots:" and whereas the permitting cinque port pilots of the lower book to take charge of ships which before the passing of the 52 G. 3. c. 39., could only be taken by pilots of the upper-book has diminished and will diminish the profits of the upper book pilots, and has increased and will increase the profits of the lower book-pilots, and it is therefore reasonable that compensation should be made by the lower book pilots, to the persons who were at the time of the passing of the said last-mentioned act upper-book pilots; be it therefore enacted, That it shall be lawful for the court of loadmanage from time to time to settle the amount of the deductions to be made from the rates received by lower-book pilots, for taking charge of vessels of greater draught of water than they could before the passing of the said act by law take, and in what proportions, and how and in what manner and to whom the same are to be paid, and how the same shall be applied in making compensation to the persons who were upper-book pilots at the time of the passing of the said act, for the losses they may sustain by such lower-book pilots taking charge of such vessels as aforesaid, provided that such deductions so to be fixed as aforesaid shall from time to time be diminished and decreased as such persons who were so upper-book pilots at the time of the passing of the said act shall die, be superannuated, or discontinue to act as pilots, and that such deductions shall be taken and accepted in lieu of all other allowances or contributions whatsoever from the said lower-book pilots, except Trinity-money, clerks' fees, and for widows, 6 G. 4. c. 125. s. 20.

22. All persons licensed or to be licensed to act as cinque port pilots shall from time to time and at all times hereafter be subject to the regulations and government of the lord warden of the cinque ports and constable of *Dover* castle for the time being, and it shall be lawful for the master and wardens of the said society or fellowship of pilots of *Dover*, *Deal*, and the *Isle of Thanet*, and the lord warden of the cinque ports and constable of *Dover* castle for the time being, his lieutenant for the time being, and the deputy lieutenant for the time being, or either of them, with the assent of the commissioners of loadmanage, or the major part of them, present at an assembly commonly called "A Court of Loadmanage," to be held by the said lord warden or his deputy, as and when they shall see fit, or occasion shall require, to annul, alter, or amend the rules and regulations of the said lord warden or court of loadmanage, which shall be in force at the time of the passing of this act, and which are hereby directed to remain in force notwithstanding the same, and to make from time to time such other sufficient rules and orders for enforcing the due observance of the provisions of this act by all cinque port pilots, and for providing for the good government, constant attendance, and regulation of all such pilots in going off to and taking charge of, and conducting and navigating H. M.'s ships and vessels, and the ships and vessels in H. M.'s employ, and also all ships and vessels whatever and wheresoever, within the proper and usual limits of such pilots, or wherein they shall for the time being act or be; and for effectually securing the performance of all the duties and services of such pilots at all times, and all alterations and amendments in such rules and regulations so in force as aforesaid, and all other rules and regulations, or alterations or amendments thereof, hereafter to be made, shall, before the same are allowed to take effect, or become binding on any person or persons whatever, be printed and transmitted to the custom-house in *London*, and there hung up in some conspicuous place in the long room of the said custom-house; and notices shall be published in the *Gazette*, and put up at the custom-house within the cinque

ports, of such rules and regulations, or any alterations thereof, for inspection, for one calendar month, in order that any persons interested therein, whether as owners or masters of ships, or pilots, or otherwise, may transmit to the lord warden of the cinque ports, or his lieutenant, any objections which they may have thereto, for the purpose of the same being altered or confirmed; and if no objection to the rules and regulations so made or altered shall be proposed, by or on the behalf of any person or persons, within the space of 30 days after the notices shall have been given and made public, in the manner herein-before provided, they shall have the same force and effect to all intents and purposes as all other rules and regulations for the government of pilots within the jurisdiction of the cinque ports have; but if an objection shall be made to the lord warden, or his lieutenant, by or on behalf of any person or persons, to any rule or regulation, or to any alteration in any rule or regulation, of which notice shall be given as aforesaid, within 30 days after the publication thereof, then and in such case the operation thereof shall be suspended until reference shall be had to H. M.'s most honourable privy council, who are hereby authorized and empowered to hear as well any person who shall be deputed by the court of loadmanage, as by the person or persons objecting, and finally to decide as to the confirming, altering, or rejecting such rules or regulations, which decision of the privy council shall be final and binding on all parties; and copies of such rules or regulations shall be delivered to every member of the said society or fellowship, and also to every new member of the said society on his election; and a copy or extract thereof shall be at all times in the possession of every pilot belonging to the cinque ports, as well those already admitted and licensed as all others hereafter to be licensed as such pilots; and it shall be lawful in such rules and regulations to establish rates of payment out of such surplus earnings of the lower-book pilots, as may arise from their being allowed to take the higher classes of ships, in the absence of pilots of the upper book, under the provisions of this act, for the better support and maintenance of the upper-book pilots, and also penalties and forfeitures for the enforcing such rules and regulations, and better ordering of the said pilots, and for suspending or depriving any of the said pilots of their licences for breaking such rules or orders, or omitting to do any thing required by the same to be done, or for acting in anywise contrary to such rules or orders, 6 G. 4. c. 125. s. 21.

23. Provided, that if any such rules and regulations so hereafter to be made in relation to cinque port pilots as aforesaid shall appear to be in any material point erroneous, insufficient, or defective, it shall be lawful for the owner of any ship, or other person interested in the matter of such rules or regulations, to apply to H. M.'s most honourable privy council, who shall thereupon amend, correct, or enlarge the same, or cause such other proper and sufficient rules and regulations to be drawn up for the purposes aforesaid; which rules and regulations so made, or so amended, corrected, and enlarged, shall be distributed, published, and made use of in such manner as H. M.'s said privy council shall in that behalf appoint and direct; and the same shall take effect from such time as in the said rules or regulations shall be expressed in regard to the commencement thereof, 6 G. 4. c. 125. s. 22.

24. And whereas under the provisions of 48 G. 3. c. 104. [Stat. Dig. this tit., STATS. rep., &c. pl. 4.] intituled, *An Act for the better regulation of pilots, and of the pilotage of ships and vessels navigating the British seas*, the number of pilots of the cinque ports was increased to 140, and it hath been found that the said last mentioned number is at present, in the time of peace, more than sufficient for the trade and navigation of this kingdom; be it therefore enacted, That until the number of such pilots shall by death or otherwise be reduced below 120., or shall be added to, as herein-after mentioned, it shall not be lawful for the said lord warden and constable of *Dover* castle, or his lieutenant for the time being, without special permission in that behalf given by H. M.'s most honourable privy council, upon the recommendation of the said corporation of Trinity-house of *Deptford Strond*, to fill up any more than each alternate vacancy which shall arise in the number of such pilots: provided that 20 cinque port pilots more, or any less number of such pilots, shall and may be added to the then existing number whenever such addition shall be directed to be made by an order of such privy council, upon application thereto for that purpose by the said corporation of Trinity-house, and in like manner from time to time, so as the number of cinque port pilots shall not at any one time exceed 180., of which said reduction or additions respectively notice shall be given by or under the authority of the lord warden of the cinque ports, in the *London Gazette*, and in one or more newspaper or newspapers circulating in the counties of *Middlesex* and *Kent*, 6 G. 4. c. 125. s. 23.

25. Whenever such additions to the number of the said pilots shall respectively take place, as herein-before provided, the numbers so increased shall from thenceforth be kept up from time to time by the appointment of pilots in succession, as often as any vacancy or vacancies shall happen by death, incapacity, or dismission: provided, that in time

of peace no more than each alternate vacancy in the number of cinque port pilots shall be filled up without a special permission in that behalf given by H. M.'s privy council, upon the recommendation of the said corporation of Trinity-house, unless the number of such pilots shall, at the time of such filling up, be reduced below 120., in which case such vacancy shall and may be filled up from time to time without such permission as aforesaid, 6 G. 4. c. 125. s. 24.

26. From and after the passing of this act [5th July 1825], the respective rates or prices herein-after enumerated in the tables marked (A. and B.) respectively in the schedule marked (A.) to this act annexed, shall and may be lawfully demanded and received by any pilot licensed or to be licensed by the said corporation of Trinity-house of *Deptford Strond*, or by the lord warden of the cinque ports and constable of *Dover* castle for the time being, or his lieutenant for the time being respectively, for the piloting or conducting of any ship or vessel from place to place, as expressed in the said tables respectively; that is to say, the respective rates or prices enumerated in the said table marked (A.) shall and may be demanded and received by any pilot licensed or to be licensed by the said corporation; and the respective rates or prices enumerated in the said table marked (B.) shall and may be demanded and received by any pilot licensed or to be licensed by the said lord warden of the cinque ports and constable of *Dover* castle for the time being, or his lieutenant for the time being; and no greater or less rates or prices, or other reward or emolument shall under any pretence whatever be demanded, solicited, received, paid, or offered than such rates or prices, on pain of forfeiting 10*l.* for every such offence, as well by the person demanding, soliciting, or receiving, as also by the person paying or offering such greater or less rate or price, reward, or emolument, 6 G. 4. c. 125. s. 25.

27. Provided, that it shall and may be lawful for the said corporation of Trinity-house of *Deptford Strond* (as to the said rates or prices to be demanded and received by pilots licensed, or to be licensed, by the said corporation), and for the said lord warden of the cinque ports and constable of *Dover* castle for the time being, or his lieutenant for the time being (as to the said rates or prices to be demanded and received by pilots licensed, or to be licensed, by the said lord warden and constable, or his lieutenant), and they are hereby respectively authorized and empowered from time to time, and at any time or times hereafter, with the consent of H. M. in council, to increase, reduce, alter, or modify all or any or either of the said respective rates or prices so enumerated in the said tables respectively, or to substitute other rates or prices in lieu thereof, and the same rates or prices so increased, reduced, altered, modified, or substituted as aforesaid, again in like manner and with the like consent from time to time to increase, reduce, alter, or modify, or others to substitute in lieu thereof, and to fix and determine the period (so that the same be not less than three calendar months from the giving of the notice herein-after mentioned) from and after which such altered or substituted rates and prices are to be demanded, of which rates and prices, and of the period from and after which the same are to be demanded, notice shall from time to time be given, by hanging up printed tables thereof in some public or conspicuous place in the custom-house of *London*, and also at the Trinity-house in *London*; and from and after the period specified in such last mentioned tables, the respective rates or prices therein enumerated may and shall be demanded and received by any pilot licensed by the said corporation of Trinity-house, or by the lord warden of the cinque ports and constable of *Dover* castle for the time being, or his lieutenant for the time being respectively, instead of the said several rates and prices mentioned in the said tables marked (A. and B.) respectively; and from and after such period, no greater or less rates or prices, or other reward or emolument, shall, under any pretence whatever, be demanded, solicited, received, paid, or offered, on pain of forfeiting 10*l.* for every such offence, as well by the person demanding, soliciting, or receiving, as also by the person paying or offering such greater or less rate or price, 6 G. 4. c. 125. s. 26.

28. Every person who shall apply for a licence to act as a pilot by virtue of this act, shall, before any licence shall be granted to him, execute a bond in a penal sum, at the discretion of the said corporation of Trinity-house of *Deptford Strond*, or of the lord warden of the cinque ports and constable of *Dover* castle for the time being, or his lieutenant for the time being (as the case may be), to an amount not exceeding 100*l.*, to be paid to the said corporation, or to the society or fellowship of pilots of *Dover*, *Deal*, and the *Isle of Thanet* (as the case may be), their successors or assigns, with a condition subjoined thereto for better securing the due obedience of such pilot to the bye-laws, rules, orders, regulations, and ordinances made in pursuance of any act of parliament heretofore passed, or which shall be made and framed pursuant to this act, which bond shall be capable of being given in evidence in any court of law or equity, without being stamped according to the laws relating to the stamp duties: provided, that all bonds before given by pilots under any former act of parliament shall continue in force, and be deemed to be given under this act, unless new bonds shall in any case

be required by the said corporation, or by the said lord warden and constable, or his lieutenant respectively, in which case new bonds shall be given accordingly, 6 G. 4. c. 125. s. 27.

29. All bye-laws, rules, orders, regulations, and ordinances made under the 48 G. 3. c. 104., or 52 G. 3. c. 39., or either of them, and which shall be in force under the same respectively at the time of the passing of this act [5th July 1825], shall remain, continue, and be in full force and virtue, until the same respectively shall have been annulled or altered, or other bye-laws, rules, orders, regulations, or ordinances made in lieu thereof under this act, and shall be and are hereby declared to be good and valid bye-laws, rules, orders, regulations, and ordinances, under this act, as fully as if they had been made under the authority of the same; any thing herein-before, or in any other act of parliament, to the contrary notwithstanding, 6 G. 4. c. 125. s. 28.

30. Provided, that as well every such licence so granted or to be granted, renewed, or confirmed, by the said corporation of Trinity-house of *Deptford Strond* as aforesaid, as also every such licence so granted or to be granted by the said lord warden of the cinque ports and constable of *Dover* castle, or his lieutenant for the time being, as aforesaid, shall and may be by the said corporation, or by the said lord warden and constable of *Dover* castle, or his lieutenant for the time being respectively, annulled, suspended, or adjudged to be forfeited, in such manner and at any such time or times as to them the said corporation and lord warden, or his lieutenant for the time being respectively, shall seem meet, as well during as at the end of the period for which such licences respectively shall have been so granted, renewed, or confirmed as aforesaid, 6 G. 4. c. 125. s. 29.

31. Provided, that every pilot whose licence shall be revoked, annulled, suspended, or adjudged to be forfeited, or who shall be suspended from acting as a pilot, as herein-before or herein-after mentioned, shall and may, at any time within six months next after such revocation, annulling, suspension, or adjudication shall have been made, and upon giving notice to the corporation or other authority by which such licence shall have been so revoked, annulled, or suspended, or such adjudication made as aforesaid, and every person who, having complained of any such pilot, shall be dissatisfied with the adjudication made upon the matter of such complaint by the corporation or other authority which shall have cognizance thereof, shall and may, at any time within six months next after such adjudication, and upon giving notice to the corporation or other authority by which such adjudication was made, appeal to H. M.'s most honourable privy council, who shall thereupon hear the appeal, and confirm or annul any determination or adjudication in the premises, or at their discretion make any particular and special order relating thereto, and to the matter of such appeal, and the costs thereof, as the case may require, 6 G. 4. c. 125. s. 30.

32. It shall be lawful for the said corporation of Trinity-house of *Deptford Strond*, and for the said society or fellowship of pilots of *Dover*, *Deal*, and the *Isle of Thanet*, and also for all other corporate bodies, or persons having lawful authority to appoint pilots within the limits of their respective jurisdictions, to license vessels of such size and description as shall appear to them to be proper, for the purpose of having pilots constantly in attendance in such vessels at sea, and to nominate and appoint, and from time to time to remove and again appoint the masters of such vessels respectively; and for the better support of such pilot-vessels, it shall be lawful for any number of pilots, licensed by virtue of this act, or otherwise lawfully licensed, with the consent of the said corporate bodies, or persons by whom respectively such pilots have been or shall be appointed as aforesaid, to constitute a joint stock company or companies, for the providing and maintaining of such pilot-vessels, which companies and the said vessels shall at all times be subject to such rules and regulations as shall from time to time be sanctioned and approved in that behalf by the corporate bodies, or persons by whom respectively such pilots shall respectively have been licensed, 6 G. 4. c. 125. s. 31.

33. Every pilot-boat or vessel, or other boat or vessel, in the pilot service of any corporation or society established by law, in relation to pilotage, or of or belonging to any person authorized to act as a pilot by such corporation or society, shall at all times, and on every station, be fitted with black sides, and have the upper streak next the gunwale painted white, and shall while afloat carry a flag at the mast-head, or on a sprit or staff, or in some other equally conspicuous situation, which flag shall be of large dimensions, proportioned to the size of the boat or vessel carrying the same, and shall be half red and half white, in horizontal stripes, of which the uppermost shall be white, and the same shall at all times be kept and preserved in a clean and distinct condition, so as to be easily discerned at a proper and sufficient distance; and every such boat or vessel shall also have the name of the principal pilot thereof for the time being painted in broad white letters, of three inches in length, on a black ground, on her stern, and on each bow such number as shall be expressed in the licence of such principal pilot, which name and number shall not be hid or concealed by any person at any time, on pain of forfeiting, for the omission or evasion of any of the provisions

herein-before made in respect of such pilot-boat or vessel, the sum of 20*l.*, to be paid by the senior pilot on board, who is hereby declared answerable for the due observance of the matters aforesaid, by every person on board such boat or vessel; and in case any pilot shall be carried off in any boat not in the service of any such corporation or society, such pilot shall exhibit a similar flag at the mast-head, or on a sprit or staff, to distinguish that such boat has a pilot on board, on pain of such pilot so carried off forfeiting the sum of 20*l.*, unless he shall show reasonable cause for having omitted to exhibit such flag, 6 G. 4. c. 125. s. 32.

34. If any boat or vessel, not having a licensed pilot on board, shall without lawful authority carry such distinguishing flag as aforesaid, the owner or owners, or the master or other person having charge of such boat or vessel, displaying or carrying any such flag, shall for every such offence forfeit and pay a sum of 100*l.*, 6 G. 4. c. 125. s. 33.

35. If any boat or vessel shall run before any ship or vessel not having a licensed pilot on board, when such ship or vessel cannot, from particular circumstances, be boarded for the purpose of directing her course, until a licensed pilot can be put on board, the pilot on board such boat or vessel, or if no pilot shall be on board and the person having charge of her shall run her before such ship or vessel, at the request or by the direction of the master, or other person having the command thereof, then such person having charge of such boat or vessel shall be entitled to the full pilotage for the distance run, until a duly licensed pilot shall be put on board, as if such pilot, or person respectively, had been actually on board such ship or vessel, and had the charge of her as a pilot, 6 G. 4. c. 125. s. 34.

36. From and after the passing of this act [5th July 1825], all bodies politic and corporate, and all and every other person authorized to appoint or license pilots in or for any port of *Eng.*, or any of the seas, coasts, harbours, or rivers thereof, or places therein, shall from time to time, as and when each appointment of a pilot shall be by them respectively made, forthwith transmit to the corporation of Trinity-house of *Deptford Strond*, at the Trinity-house in *London*, and to the commissioners of customs, at the custom-house in *London*, the christian and surname, age, and place of residence of every such pilot so appointed, distinguishing the limits within which such pilot is appointed to act, and by whom such appointment is made; and the said bodies politic and corporate, and other persons, authorized to appoint or license pilots as aforesaid, shall and they are hereby required to transmit to the said corporation of Trinity-house, at the Trinity-house aforesaid, and to the said commissioners of customs, at the custom-house aforesaid, annually, on the 31st Dec., or within one calendar month afterwards, a list, corrected up to the said 31st Dec. in each year, of the names and residences of all the pilots within their several jurisdictions, in which list so to be transmitted to the Trinity-house as aforesaid shall be stated all such alterations (if any) as may have been made in the rates of pilotage charged, or in the rules and regulations for governing pilots within their respective districts, 6 G. 4. c. 125. s. 35.

37. And whereas by certain acts of parliament for the more effectual performance of quarantine [see *post*, QUARANTINE], pilots are required, on going on board ships arriving from foreign parts, in certain cases to give information to the commanders thereof respecting proclamations and orders in council relative to the performance of quarantine, which renders it necessary that notice of such proclamations and orders should have been previously communicated to all pilots throughout *Eng.*: be it further enacted, That the said commissioners of H. M.'s customs shall from time to time with all convenient speed transmit to the principal officers of the revenue under their management, at the several ports in *Eng.*, the names and places of residence of all such pilots of whose nomination they shall receive notice from the proper authority, or who shall be in the list so annually to be transmitted to such commissioners as aforesaid, as shall reside within the limits of each port respectively, in order that the said principal officers at the several ports may be enabled to communicate and deliver to every pilot within the limits of such ports respectively copies of all proclamations or orders in council respecting the performance of quarantine by ships arriving from infected places, which the said officers are hereby required to communicate accordingly, 6 G. 4. c. 125. s. 36. [See 6 G. 4. c. 78. s. 1. *post*, QUARANTINE, *pl.* 2.]

38. The said corporation of Trinity-house of *Deptford Strond*, and the court of loadmanage of the cinque ports, and all other corporations and persons authorized to manage or direct pilots in any part of *Eng.*, under the authority of any act of parliament or charter whatever, shall annually, on the 1st Jan. in every year, or within one calendar month then next following, transmit to the office of the receiver of the sixpenny duty in the port of *London*, a list of all the vessels of every description employed by them respectively, or by persons under their authority, for the purposes of pilotage, with the number of men and boys belonging to or serving in any such vessels, 6 G. 4. c. 125. s. 37.

39. No pilot shall be taken to sea beyond the limits of his district by the commanding-officer of any of H. M.'s ships, or by the master of

other person having the command of any other ship or vessel whatever, without such pilot's free consent, except under circumstances of absolute and unavoidable necessity; and then and in such case every pilot so taken to sea shall over and above his pilotage have and receive 10s. and 6d. *per diem*, to be computed from and inclusive of the day next after the day on which the ship or vessel shall pass the limit to which such pilot was engaged to pilot her up to, and until he shall be returned to the port or place where he was taken on board, or until he shall have been discharged from the ship for a sufficient time to have enabled him to return there, 6 G. 4. c. 125. s. 38.

40. And whereas certain harbours near the *Downs* have become much frequented as places of safety, and ships and vessels lying in or sailing through the *Downs* are oftentimes compelled to run for those harbours, and it is therefore necessary to make provision for the pilotage into and out of such harbours; be it therefore enacted, That all pilots whose licences shall authorize them to pilot ships or vessels from any place to the westward up to *London Bridge*, shall qualify themselves, and shall be examined as to their qualification and ability to conduct any ship or vessel into and out of *Ramsgate* harbour, and the harbours of *Dover*, *Sandwich*, and *Margate*, and shall be obliged to pilot any ships or vessels into and out of the said harbours; and if any such pilot shall refuse to take charge of or conduct any ship or vessel into or out of any of the said harbours, such pilot shall forfeit all pay and reward to which he might otherwise have been entitled for the pilotage of any such ship or vessel, and shall be subject to such fine or other punishment as shall be established in that behalf by the bye-laws, rules, orders, regulations, or ordinances of the corporation, or other authority, from which the licence of such pilot shall have been derived, 6 G. 4. c. 125. s. 39.

41. Provided, that every licensed pilot who shall take charge of and conduct any ship or vessel into or out of *Ramsgate* harbour, or into or out of the harbours of *Dover*, *Sandwich*, or *Margate*, shall be entitled to and shall receive for such pilotage at and after the rate of 5s. for every foot of the draught of water of the ship or vessel so piloted and conducted by him into or out of any such harbours, 6 G. 4. c. 125. s. 40.

42. The master or other person commanding any ship or vessel bound to the river *Thames*, and which shall repair to *Standgate Creek*, or any other place appointed for the performance of quarantine, shall pay the full charges of pilotage up to *Standgate Creek*, or other the place so appointed; and the pilot conducting such ship or vessel to *Standgate Creek*, or other the place so appointed as aforesaid, shall be entitled to the further sum of 8s. *per diem* for the days he shall be obliged to remain on quarantine, 6 G. 4. c. 125. s. 41.

43. If any pilot taking charge of any ship or vessel into the rivers *Thames* or *Medway* shall quit such ship or vessel at *Gravesend* or *Standgate Creek*, or in any other part of the *Thames* or *Medway* respectively, before such ship or vessel shall have arrived at the place to which she is bound in the said rivers respectively, without the consent of the captain or other person having the command thereof, unless some other duly qualified pilot shall with such consent come on board, and shall take the charge and conduct of such ship or vessel for the residue of the pilotage to be performed, every such pilot so quitting such ship or vessel shall forfeit for every such offence all pay or reward to which he might be entitled for having conducted or piloted such ship or vessel to *Gravesend*, *Standgate Creek*, or such part of the *Thames* or *Medway* respectively as aforesaid, and shall also be subject to such other penalty or punishment as by virtue of any of the provisions of this act, or of the bye-laws, rules, orders, regulations, and ordinances hereby directed to remain in force, or which may be made or established in pursuance hereof, any pilots shall be liable to for quitting a ship or vessel before she shall arrive at her place of destination, 6 G. 4. c. 125. s. 42.

44. Every pilot shall write his christian and surname in the log-book of every master or other person having the command for the time being of any ship or vessel entering the port of *London*, and required to be piloted according to the directions of this act; and every pilot or other person inserting a false name shall forfeit the sum of 20l.; and the master or other person having the command of such ship or vessel shall, in making the entry or report of such ship or vessel inwards, insert or cause to be inserted in such entry or report, the name or names of the pilot or pilots employed or engaged to pilot such vessel into the said port, which insertion shall be made in the said entry or report (without fee or reward) by the proper officer of the customs, who shall report the same to the corporation of the Trinity-house daily, and to the lord warden of the cinque-ports monthly; and such officer is hereby authorized and required to reject such entry or report, unless and until the name or names of the pilot or pilots so employed or engaged as aforesaid, shall be inserted or notified to such officer for insertion in such entry or report as aforesaid; and also that the principal searcher or clearing officer of the customs at *Gravesend* shall demand and take the name or names of the pilot or pilots of all ships or vessels clearing outwards from the port of *London*, and shall transmit monthly lists of such names to the said corporation of Trinity-house, on pain of forfeiting a sum not exceeding 10l., nor less than 5l., to be paid by each and every of the

persons aforesaid, who shall neglect to comply with any of the foregoing regulations, 6 G. 4. c. 125. s. 43.

45. All sums of money which shall become due to any licensed pilot for the pilotage of any ship or vessel, except ships and vessels not having *British* registers, trading to and from the port of *London*, shall and may be recovered from the owners or masters of such ship or vessel, or from the consignees or agents thereof, who shall have paid or made themselves liable to pay any other charge for the said ship or vessel in the port of her arrival or delivery, as to pilotage inwards, and in the port from whence she shall clear out or sail as to pilotage outwards; which sums of money shall and may be levied in such and in the like manner, according to the amount of any such sums of money as aforesaid respectively, as any penalty or penalties of the like amount may be recovered and levied under and by virtue of this act, demand thereof being made in writing at least 14 days before such levy, 6 G. 4. c. 125. s. 44.

46. The consignees or agents of any ship or vessel, from whom any sum of money due to any licensed pilot for pilotage shall have been recovered, or shall be recoverable, or by whom any such sum of money shall have been paid, are hereby authorized and empowered to retain in their hands respectively, out of any monies which they may have received, or shall thereafter receive, for or on account of such ship or vessel, or the owner or owners thereof, so much as shall be sufficient to pay and discharge such pilotage, and any expences attending the same, 6 G. 4. c. 125. s. 45.

47. And in order to prevent as well impositions and disputes respecting the charges for, as evasions in the payment of the pilotage of such ships and vessels trading to and from the port of *London*, and not having *British* registers, as are by law required to be piloted by pilots licensed by the said corporation of Trinity-house, be it further enacted, That from and after the passing of this act [5th July 1825], the master or other person having the charge of every such ship or vessel which shall enter into or sail from the said port of *London*, or the consignees or agents for such ship or vessel, shall pay or cause to be paid at the Trinity-house in *London*, to such person or persons as shall from time to time be in that behalf appointed by the said corporation of Trinity-house, the full pilotage inwards and outwards respectively of every such ship or vessel; that is to say, in all cases as to pilotage outwards the full amount of pilotage for the distance which such ship or vessel shall by law be required to be piloted by such licensed pilot as aforesaid; and so far as concerns the pilotage inwards, where a duly licensed pilot shall have been on board such ship or vessel, the full amount of pilotage for the distance piloted by him, if greater than that which such ship or vessel shall be so required to be piloted; and if less, or if no such pilot shall have been on board, then the full amount of the pilotage for the distance which such ship or vessel shall be by law required to be piloted as aforesaid; and if such pilotage inwards be not paid within 14 days from the day of such ship or vessel's reporting inwards, the same shall and may be recovered by the said corporation from the master or other person having the charge of every such ship or vessel, or from the consignees or agents thereof, who shall have paid or made themselves liable to pay any other charge for such ship or vessel in the said port of *London*, and shall and may be levied in such and the like manner, according to the amount of any such sums of money respectively, as any penalty or penalties may be recovered and levied under and by virtue of this act, 6 G. 4. c. 125. s. 46.

48. The person or persons so to be appointed by the said corporation of Trinity-house of *Deptford Strond* as last aforesaid shall, upon his or their receiving such pilotage, give to the person paying the same a certificate thereof in writing, and that no ship or vessel not having a *British* register, and being required by law to be piloted as aforesaid, shall be cleared at the office of customs in the said port of *London*, on her outward-bound voyage, without the production of such certificate as aforesaid; and the said person or persons so to be appointed as aforesaid shall, upon proof to the satisfaction of the said corporation that such pilotage service hath been duly performed, pay over to the pilot duly licensed, who shall have had charge of every such ship or vessel, all such sums of money as shall have been received by such person or persons appointed as aforesaid, and as shall be due and payable to such pilot for or in respect of such pilotage service so by him performed, after deducting and retaining thereout the poundage herein-before made payable to the said corporation; and the residue of such pilotage received by such person or persons so appointed as aforesaid shall, together with the poundage aforesaid, be carried to and applied to the purposes of the pilots' fund of the said corporation of Trinity-house of *Deptford Strond* herein-after mentioned, 6 G. 4. c. 125. s. 47.

49. Provided, that in any case where such pilotage shall have been received as aforesaid, for or in respect of any ship or vessel not having a *British* register, if it shall appear to the said corporation that no licensed pilot was in fact employed on board thereof, it shall and may be lawful to and for the said corporation, and they are hereby authorized, if they shall so think fit, out of such pilotage to make or give

to any unlicensed person or persons who shall have piloted or assisted in piloting such ship or vessel during so long time as no licensed pilot shall, to the knowledge of such unlicensed person or persons, have offered to take charge thereof, such compensation or reward as in the discretion of the said corporation they shall deem proper in that behalf, not exceeding the sum which would have been payable to a duly licensed pilot, 6 G. 4. c. 125. s. 48.

50. And in order the better to facilitate the ascertaining and settling the amount of the pilotage outward of ships and vessels not having *British* registers, in the port of *London*, under the authority of this act, be it further enacted, That the rates or amount of pilotage outward, to be payable and paid in respect of all such ships and vessels, shall from time to time be calculated and made out according to the scale or amount of the tonnage of every such ship or vessel, upon or according to which such ship or vessel shall be rated in the said port of *London*, to the payment of the light and other dues payable to the said corporation of *Trinity-house* of *Deptford Strond*, or according to the draught of water thereof, as the said corporation of *Trinity-house* of *Deptford Strond* shall in their discretion think most proper; any thing herein contained to the contrary thereof notwithstanding, 6 G. 4. c. 125. s. 49.

51. And in order to prevent or settle controversies concerning the draught of water of ships and vessels from time to time on the river *Thames*, (not having *British* registers,) be it further enacted, That whenever any difference about the draught of water of any ship or vessel shall arise between the master or other person having the command of any such ship or vessel, and any person who shall have piloted the same into the said river, or who shall be required to pilot the same therefrom, pursuant to the directions of this act, the said corporation of *Trinity-house* of *Deptford Strond*, or some proper officer or person appointed by them, shall admeasure the draught of water of such ship or vessel, and shall settle and determine the same between the parties, upon application made by either of them to the said corporation within 12 hours after such ship or vessel shall have arrived at her moorings in the river, on any inward voyage, or before the cargo thereof shall be begun to be unladen, or before such ship or vessel shall quit her moorings on any outward voyage, for which admeasurement the officer or person making the same shall be paid one guinea if the ship or vessel shall be below the entrance to the *London Docks* at *Wapping*, and half a guinea if above the said entrance to the *London Docks*, by the person against whom the said officer or person so appointed by the corporation of the *Trinity-house* shall decide, 6 G. 4. c. 125. s. 50.

52. And whereas it may be expedient from time to time to relieve such ships and vessels not having *British* registers as may come to the port of *London* with fish, corn, or other provisions, in manner herein-after directed; be it therefore enacted, That it shall be lawful for the said corporation of *Trinity-house* of *Deptford Strond*, and they are hereby authorized and empowered from time to time, at their discretion, to make all such regulations in relation to the piloting of ships not having *British* registers, bringing fish, corn, or other provisions into the port of *London*, and which are or ought to be piloted by pilots licensed by the said corporation of *Trinity-house*, for the ease and relief of such ships and vessels in respect of the rates or amount of pilotage hereby made payable or demandable for such ships and vessels, or for the exemption of such ships or vessels from any such rates or amount, or from any rules or regulations as to the pilotage of such ships or vessels under the provisions of this act, or of any other act of parliament relating to pilotage, or under any law or usage whatsoever, as the said corporation of *Trinity-house* of *Deptford Strond* shall from time to time deem just, proper, and expedient, in relation to such ships and vessels respectively; any thing herein contained to the contrary thereof notwithstanding, 6 G. 4. c. 125. s. 51.

53. And whereas under 48 G. 3. c. 104, and 52 G. 3. c. 59, the surplus rates of pilotage imposed on ships not having *British* registers have been applied in creating funds for the relief of superannuated and infirm pilots belonging to the said corporation of *Trinity-house* of *Deptford Strond*, and the fellowship of the cinque ports respectively, as in the said acts mentioned; and it is expedient that the surplus rates of pilotage imposed by this act on such ships should be carried to such funds respectively, and that the said funds should be applied as herein-after mentioned; be it therefore enacted, That as well as the fund already created for such superannuated and infirm pilots belonging to the said corporation of *Trinity-house* of *Deptford Strond* as aforesaid, as also all such surplus rates by this act imposed or to be imposed as aforesaid, on ships not having *British* registers, which shall pertain to the establishment of the said corporation of *Trinity-house*, shall be carried to a fund to be called "The Pilots' Fund," and that such last mentioned fund shall be applied by the said corporation in the manner following; (that is to say,) after defraying the expences of carrying this act into execution, so far as concerns the said corporation of *Trinity-house*, the said fund shall be applied by the said corporation for the better support, maintenance, or relief of such indigent pilots belonging to the said corporation, as

shall become incapable of discharging their duty from advanced age, or from any accident or infirmity, and of the wives, widows, and children of such pilots, to be applied and distributed in such manner and under such rules and regulations as the said corporation of *Trinity-house* shall order and provide; and that as well the fund already created for such superannuated and infirm pilots belonging to the society or fellowship of the cinque ports as aforesaid, as also all such surplus rates of pilotage by this act imposed or to be imposed as aforesaid on ships not having *British* registers, which shall pertain to the establishment of the cinque ports, shall be applied by the said court of loadmanage for the better support, maintenance, or relief of such indigent pilots belonging to the said society or fellowship as shall become incapable of discharging their duty from advanced age, or from any accident or infirmity, to be applied and distributed in such manner and under such rules and regulations as the said court of loadmanage shall order and provide; and as well all and every the pilots who shall receive any such surplus rates, as also the person or persons to whom the pilotage of ships and vessels not having *British* registers, and entering into or sailing from the said port of *London*, is by this act directed to be paid, shall and they are hereby required to pay over all such surplus rates to such receivers, and at such convenient places as shall be in that behalf respectively appointed by the said corporation of *Trinity-house*, and by the said lord warden and court of loadmanage respectively; of all which receipts, and of the appropriations aforesaid, the said corporation and the said lord warden and court of loadmanage respectively, shall annually lay an account before parliament, within 20 days after the commencement of each session, 6 G. 4. c. 125. s. 52.

54. No owner or master of any ship or vessel shall be answerable for any loss or damage which shall happen to any person whatsoever, from or by reason or means of no licensed pilot being on board of any such ship or vessel, or of no duly qualified pilot being on board thereof, unless it shall be proved that the want of such licensed or of such duly qualified pilot respectively shall have arisen from any refusal to take such licensed or qualified pilot on board, or from the wilful neglect of the master of such ship or vessel in not heaving to, or using all practicable means, consistently with her safety, for the purpose of taking on board thereof any pilot who shall be ready and offer to take charge of the same, 6 G. 4. c. 125. s. 53.

55. Provided, that nothing in this act contained shall extend or be construed to extend to make the owner of any ship or vessel liable in any such case for any loss or damage beyond the value of such ship or vessel, and her appurtenances, and the freight due or to grow due for and during the voyage wherein such loss or damage may happen or arise, 6 G. 4. c. 125. s. 54.

56. No owner or master of any ship or vessel shall be answerable for any loss or damage which shall happen to any person whomsoever from or by reason or means of any neglect, default, incompetency, or incapacity of any licensed pilot acting in the charge of any such ship or vessel, under or in pursuance of any of the provisions of this act, where and so long as such pilot shall be duly qualified to have the charge of such ship or vessel, or where and so long as no duly qualified pilot shall have offered to take charge thereof, 6 G. 4. c. 125. s. 55.

57. Nothing in this act contained shall extend to deprive any person of any remedy upon any contract of insurance, or of any other remedy whatsoever, which he might have had if this act had not been passed, by reason or on account of the neglect, default, incompetency, or incapacity of any pilot duly acting in the charge of any ship or vessel under or in pursuance of any of the provisions of this act, or by reason or on account of no pilot, or of no duly qualified pilot, being on board of any such ship or vessel, unless it shall be proved that the want of a pilot, or of a duly qualified pilot, shall have arisen from any refusal to take a pilot, or a duly qualified pilot on board, or from the wilful neglect of the master of such ship or vessel, in not heaving to or using all practicable means consistently with the safety of such ship or vessel, for the purpose of taking on board any pilot who shall be ready and offer to take charge of such ship or vessel, 6 G. 4. c. 125. s. 56.

58. Provided, that no pilot licensed, or to be licensed as aforesaid, who shall have executed the bond herein-before directed to be executed by him, and shall be piloting or conducting, within the limits specified in his licence, any ship or vessel which he shall be duly qualified to pilot, or be piloting in the absence of a duly qualified pilot, shall be liable to any action for damages at the suit of the party grieved in any greater sum than the amount which shall have been specified by way of penalty in such bond, and the pilotage payable to him in respect of the voyage on which such ship or vessel shall then be, for any loss or damage which shall happen from or by reason or means of his neglect or want of skill whilst acting in his capacity of a pilot on board such ship or vessel, 6 G. 4. c. 125. s. 57.

59. Every master of any ship or vessel who shall act himself as a pilot, or who shall employ or continue employed as a pilot any unlicensed person, or any licensed person acting out of the limits for which he is qualified, or beyond the extent of his qualification, after any pilot

licensed and qualified to act as such, within the limits in which such ship or vessel shall then actually be, shall have offered to take charge of such ship or vessel, or have made a signal for that purpose, shall forfeit for every such offence double the amount of the sum which would have been legally demandable for the pilotage of such ship or vessel, and shall likewise forfeit for every such offence an additional penalty of 5*l.* for every 50 tons burthen of such ship or vessel, if the corporation of Trinity-house of *Deptford Strond*, as to cases in which pilots licensed by or under the said corporation shall be concerned, or the said lord warden for the time being, or his lieutenant for the time being, as to cases in which the cinque port pilots shall be concerned, shall think it proper that the person prosecuting should be at liberty to proceed for the recovery of such additional penalty, and certify the same in writing, 6 G. 4. c. 125. s. 58.

60. Provided, that for and notwithstanding any thing in this act contained, the master of any collier, or of any ship or vessel trading to *Norway*, or to the *Cattegat* or *Baltic*, or round the *North Cape*, or into the *White Sea*, on their inward or outward voyages, or of any constant trader inwards, from the ports between *Boulogne* inclusive and the *Baltic* (all such ships and vessels having *British* registers, and coming up either by the *North Channel*, but not otherwise), or of any *Irish* trader using the navigation of the rivers *Thames* and *Medway*, or of any ship or vessel employed in the regular coasting trade of the kingdom, or of any ship or vessel wholly laden with stone from *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, and being the production thereof, or of any ship or vessel not exceeding the burthen of 60 tons, and having a *British* register, except as herein-after provided; or of any other ship or vessel whatever, whilst the same is within the limits of the port or place to which she belongs, the same not being a port or place in relation to which particular provision hath heretofore been made by any act of parliament, or by any charter for the appointment of pilots, shall and may lawfully, and without being subject to any of the penalties by this act imposed, conduct or pilot his own ship or vessel when and so long as he shall conduct or pilot the same without the aid or assistance of any unlicensed pilot or other person than the ordinary crew of the said ship or vessel, 6 G. 4. c. 125. s. 59.

61. Provided, that from and after the passing of this act [5th July 1825], it shall and may be lawful for H. M., by and with the advice of his privy council, or by any order or orders in council, to permit and authorize ships and vessels not exceeding the burthen of 60 tons, and not having a *British* register, to be piloted and conducted without having a duly licensed pilot on board, upon the same terms and conditions as are by this act imposed on *British* ships and vessels, not exceeding the like burthen, 6 G. 4. c. 125. s. 60. [See 4 G. 4. c. 77. s. 5. post, tit SHIPPING.]

62. Provided, that nothing in this act contained shall extend to subject the master or owner of any ship or vessel to any of the penalties of this act, for employing any person whomsoever as a pilot in and for the assistance of such ship or vessel whilst the same shall be in distress, or in consequence thereof, or under any circumstances which shall have rendered it necessary for such owner or master to avail himself of the best assistance which at the time could be procured; any thing herein contained to the contrary thereof in anywise notwithstanding, 6 G. 4. c. 125. s. 61.

63. Provided, that nothing in this act contained shall extend to subject to any penalty the master or mate of any ship or vessel being the owner or a part owner of such ship or vessel, and residing at *Dover*, *Deal*, or the *Isle of Thanet*, for conducting or piloting such his own ship or vessel from any of the places aforesaid, up or down the rivers *Thames* or *Medway*, or into or out of any port or place within the jurisdiction of the cinque ports, 6 G. 4. c. 125. s. 62.

64. Provided, that when any ship or vessel shall have been brought into any port in *Eng.* by any pilot duly licensed, nothing in this act contained shall extend to subject to any penalty the master or mate, or other person belonging to such ship or vessel, and having the command thereof, or if in ballast, any person appointed by any owner, or master or agent of the owner thereof, for afterwards removing such ship or vessel in such port or ports for the purpose of entering into or going out of any dock, or for changing the moorings of such ship or vessel, 6 G. 4. c. 125. s. 63.

65. Every master or other person having the command for the time being of any ship or vessel, who shall report, or be privy or consenting to any other person's reporting to any pilot taking the charge of such ship or vessel, a false account of the draught of water of such ship or vessel, shall forfeit and pay for every such offence, in addition to the payment of the full rate of pilotage to the pilot entitled thereto, double the amount of such pilotage; and any master or other person having the command for the time being of any ship or vessel, or having any interest, share, or property therein, who shall fraudulently alter any marks on the stem or stern-post thereof, denoting the draught of water, or shall be privy and consenting thereto, shall for any such offence forfeit and pay the sum of 500*l.*, 6 G. 4. c. 125. s. 64.

66. A particular description of the person of every pilot shall be

written in or upon or endorsed on the back of his licence; and every captain or master or other person having the command of a ship or vessel shall, on receiving a pilot on board, inspect his licence; and if he shall have reason to think that such pilot is not the person to whom the licence was granted, such captain or master or other person is hereby required forthwith to transmit a copy of such licence to the corporation or other authority by whom such licence shall have been granted, stating the date thereof, together with such account and description of the person producing such licence as may lead to the discovery of the offender, 6 G. 4. c. 125. s. 65.

67. No person shall take charge of any ship or vessel, or in any manner act as a pilot, or receive any compensation for acting as a pilot, until his licence shall have been registered by the principal officers of the custom-house of the place at or nearest to which such pilot shall reside (which officers are hereby required to register the same without fee or reward), nor without having his licence at the time of his so acting in his personal custody, and producing the same to the master of any ship or vessel, or other person who shall be desirous of employing him as a pilot, or to whom he shall offer his services, on pain of forfeiting a sum not exceeding 30*l.*, nor less than 10*l.*, for the first offence; and for the second or any subsequent offence, a sum not exceeding 50*l.*, nor less than 30*l.*; and upon further pain, as to any person licensed as aforesaid, of forfeiting his licence or being suspended from acting as a pilot, by and at the discretion of the corporation or other authority from which such pilot's licence was derived, either for the first, second, or any subsequent offence, 6 G. 4. c. 125. s. 66.

68. Every pilot, licensed or to be licensed as aforesaid, shall, at all times when thereunto required, produce or deliver and yield up his licence to the corporation or other authority by which the same was granted; and on the death of any such pilot, his executors or administrators, or one of them, or the person to whose hands the licence of such deceased pilot shall come, shall without wilful delay transmit such licence to the corporation or other authority by which the same was granted, on pain of such pilot, executor, administrator, or other person, forfeiting for any neglect therein a sum not exceeding 20*l.* nor less than 40*s.*, 6 G. 4. c. 125. s. 67.

69. From and after the passing of this act [5th July 1825], if any pilot, licensed by virtue of this act, or otherwise duly licensed, shall keep, or be concerned in keeping, either by himself or any agent or servant, or other person, or shall in any way be interested in the keeping of any public-house or tavern or place of public entertainment, or in the selling of any wine or spirituous liquors, or tobacco or tea (unless such pilot shall have kept or been concerned or interested in the same before the 1st May 1808, and shall be duly authorized by the corporation, or other authority under which such pilot shall act, to continue in such business or employment; or if any pilot, licensed as aforesaid, shall be convicted of any offence against any law relating to the revenues of customs or excise, or shall be concerned in or shall wilfully connive at any indirect practices or frauds against the revenues of customs or excise, or shall procure, abet, connive at, or participate in any destruction, spoil, or concealment, fraud, exaction, or corrupt practice, relating to ships or vessels, or persons in distress at sea, or by shipwreck, or relating to the tackle, apparel, or furniture, or the cargoes of such ships or vessels, or relating to the crew or passengers belonging thereto, or the monies, goods, or chattels of any of them, then and in every such case every pilot shall (over and above all other punishments, mulcts, and penalties for such offences), be adjudged to forfeit his licence, or shall be suspended from acting as a pilot, by and at the discretion of the corporation, or other authority from which such pilot's licence was derived, 6 G. 4. c. 125. s. 68.

70. If any person, suspended or adjudged to have forfeited his licence as a pilot, shall, during the time of such suspension, or after such adjudication, take upon himself to conduct any ship or vessel as a pilot, such person shall be liable to all such penalties, to be recovered and applied in like manner and form as are provided by this act, against any person who shall pilot or conduct any ship or vessel without ever having been licensed as a pilot, 6 G. 4. c. 125. s. 69.

71. It shall be lawful for any licensed pilot within the limits of his licence, and the extent of his qualification therein expressed, to supersede in the charge of any ship or vessel any person not licensed to act as a pilot, or not licensed so to act within such limits, or acting beyond the extent of his qualification; and every person assuming or continuing in the charge or conduct of any ship or vessel, without being a duly licensed pilot, or without being duly licensed to act as a pilot within the limits in which such ship or vessel shall actually be, or beyond the extent of his qualification, as expressed in his licence, after any pilot, duly licensed and qualified to act in the premises, shall have offered to take charge of such ship or vessel, shall forfeit for every such offence a sum not exceeding 50*l.* nor less than 20*l.*, 6 G. 4. c. 125. s. 70.

72. Provided, that for and notwithstanding any thing in this act contained, any person whatsoever shall and may lawfully, and without being subject to any penalty by this act imposed, assume, or continue in the

charge or conduct of any ship or vessel as a pilot, where and so long as a pilot duly licensed and qualified shall not have offered to take the charge of such ship or vessel, or made a signal for that purpose, or where and so long as such ship or vessel shall be in distress, or under circumstances which shall have rendered it necessary for the master of such ship or vessel to avail himself of the best assistance which at the time could be procured, 6 G. 4. c. 125. s. 71.

73. Every pilot licensed or to be licensed as aforesaid, who shall, when not actually engaged in his capacity of pilot, refuse or decline, or wilfully delay to go off to or on board of or to take charge of any ship or vessel wanting a pilot, and within the limits specified in his licence, and of which he shall be qualified to take charge, upon the usual signal for a pilot being displayed from such ship or vessel, or upon being required so to do by the captain, or by any commissioned or warrant officer of or belonging to such ship or vessel (if the same shall be in H. M.'s service), or by the master, or other person having the command of such ship or vessel, or by any person interested therein as principal or agent (if the same shall not be in H. M.'s service), or upon being required so to do in either of the cases aforesaid, by any officer of the corporation or society to which such pilot shall belong, or by any principal officer of H. M.'s customs (unless in any of the cases aforesaid), it shall be unsafe for such pilot to obey such signal, or comply with such requisition, or he shall be prevented from so doing by illness or other sufficient cause to be shown by him in that behalf; and every pilot licensed or to be licensed as aforesaid, who shall on any frivolous pretext quit any ship or vessel, or decline the piloting thereof, after he has been engaged to pilot the same, or after going alongside thereof, before the service shall have been performed for which he was hired, and without leave of the captain of such ship or vessel (if in H. M.'s service), or of the master or other person having the command of such ship or vessel (if not in H. M.'s service), shall forfeit for every such offence any sum not exceeding 100*l.*, nor less than 10*l.*, and shall be liable to be dismissed from being a pilot, or suspended from acting as such, at the discretion of the corporation or other authority by whom such pilot was licensed, 6 G. 4. c. 125. s. 72.

74. In case any pilot, licensed or to be licensed as aforesaid, shall employ or make use of, or shall compel or require any person having the command or charge of any ship or vessel, to employ or make use of any boat, anchor, cable, hawser, or any other matter or thing in or for the service or pretended service of such ship or vessel beyond what shall actually and *bonâ fide* be necessary and proper for the use thereof, with intent thereby to enhance or increase the charge or expence of pilotage or pilot assistance of such ship or vessel, whether for the gain and emolument of such pilot, or for the gain or emolument of any other person whomsoever, then and in every such case the person so offending shall forfeit and pay a sum not exceeding 50*l.*, nor less than 10*l.*, and shall also be liable to be deprived of his licence, or suspended from acting as a pilot, at the discretion of the corporation or other authority by whom he was licensed, 6 G. 4. c. 125. s. 73.

75. In case any pilot, licensed or to be licensed as aforesaid, shall lend his licence to any unlicensed person to assist him in acting or claiming to act as a licensed pilot, or in case any such licensed pilot, or any person not being a pilot, but acting under pretext or colour of being a pilot, shall by drunkenness render himself incapable of conducting any ship or vessel, or shall wilfully or negligently run any ship or vessel on shore, or lose or injure the same, or the tackle or furniture thereof, or shall wilfully and knowingly conduct, lead, decoy, or betray any ship or vessel into danger in any manner not already provided against by any statute, or shall unnecessarily or improperly cut any cable of or belonging to any ship or vessel, or cause or procure the same to be cut unnecessarily and improperly; or if any such person shall by wilful misrepresentation of any circumstances upon which the safety of any ship or vessel shall appear materially to depend, for the time being, obtain or endeavour to obtain the charge and conduct of any such ship or vessel, then and in every such case the person so offending, or who shall aid in, procure, abet, or connive at the committing of any such offence, shall, besides being liable to damages at the suit of the party grieved, forfeit and pay a sum not exceeding 100*l.* nor less than 20*l.*; and if the person so offending shall be a pilot, he shall also be liable to be deprived of his licence, or suspended from acting as a pilot at the discretion of the corporation or other authority by whom his licence was granted, 6 G. 4. c. 125. s. 74.

76. And whereas the dock-master or dock-masters appointed by divers dock companies in the port of *London*, under and by virtue of divers acts of parliament, have power and authority to direct the mooring and unmooring, moving or removing of ships and other vessels, within certain distances from the entrances out of the river *Thames* into the docks of such companies respectively; be it therefore enacted, That from and after the passing of this act [5th July 1825], if any pilot having the charge or direction of any ship or vessel within such distances from the respective entrances into the said docks respectively from the river *Thames*, and either intended to go into or having recently come out of

the docks of the said companies respectively, shall neglect or refuse to obey such orders or directions as shall or may from time to time be given to such pilot by the said dock-master or dock-masters respectively, under and by virtue of and agreeably to the powers vested in him and them by any act or acts of parliament, touching or relating to the mooring, unmooring, moving, or removing of such ships or vessels so being under the charge or direction of such pilot as aforesaid, then and in every such case, every pilot so offending shall forfeit and pay a sum not exceeding 50*l.* nor less than 20*l.*; and every such pilot shall be liable to be dismissed from being a pilot, or suspended from acting as such, at the discretion of the corporation, or other authority by whom such pilot was licensed, 6 G. 4. c. 125. s. 75.

77. All fines, penalties, or forfeitures herein-before or herein-after imposed by this act, or by any of the bye-laws, rules, orders, regulations, or ordinances hereby directed to remain in force, or hereafter to be made under the authority of this act, which shall exceed the sum of 20*l.* (the manner of levying whereof shall not by this act be otherwise expressly provided for), and likewise all fines, penalties, or forfeitures imposed as aforesaid (the manner of levying which shall not by this act be otherwise expressly provided for), in cases where the lowest penalty recoverable not being greater than 20*l.*, and the largest penalty recoverable being greater than 20*l.*, the party prosecuting shall proceed in respect thereof for a sum greater than 20*l.*, with the written consent of the corporation of *Trinity-house of Deptford Strond*, or of the said lord warden or his lieutenant for the time being respectively (as the case may be), shall and may be recovered with full costs of suit, by action of debt, bill, plaint or information in any of H. M.'s courts of record at *Westminster*, to be commenced within 12 calendar months next after such offence or offences shall be committed, or within such other time as is herein-after in that behalf directed; the venue in which said action, bill, plaint, or information shall and may, at the option of the plaintiff or informant, be laid, and the said action, bill, plaint, or information tried either in the county of *Middlesex* or the city of *London*, or else in such county or place wherein the offence or offences shall have been committed, and no essoign, protection, wager of law, or any more than one imparlance shall be allowed; and in any such case or cases it shall be lawful to sue for the largest penalty or penalties recoverable in that behalf, and the jury giving the verdict shall and may award either such largest penalty or penalties, or any other smaller sum of money, not less than the sum specified as the lowest penalty recoverable in that behalf, 6 G. 4. c. 125. s. 76.

78. All fines, penalties, or forfeitures herein-before or herein-after imposed by this act, or by any of the bye-laws, rules, orders, regulations, or ordinances hereby directed to remain in force, or hereafter to be made, under the authority of this act, and which shall not exceed 20*l.* (the manner of levying whereof shall not by this act be otherwise expressly provided for); and likewise all fines, penalties, or forfeitures imposed as aforesaid (the manner of levying which shall not by this act be otherwise expressly provided for), in cases where the lowest penalty recoverable, not being greater than 20*l.*, and the largest penalty recoverable being greater than 20*l.*, the party prosecuting shall proceed in respect thereof for any sum not exceeding 20*l.*, with such written consent as aforesaid, shall and may be levied and recovered within six calendar months after the offence committed, or within such other times as is herein-after in that behalf directed, before any justice or justices of the peace for the county, city, division, or place where the offence shall be committed; or if committed by any pilot, then before any justice or justices of the peace for the county, city, division, or place aforesaid, or before any justice or justices of the peace, or any magistrate or magistrates of the city, town, or port to which such pilot shall belong; or if committed by any owner or master of any ship or vessel, before any justice or justices of the peace for the county, city, division, or place where the offence shall have been committed, or before any justice or justices of the peace, or any magistrate or magistrates of the county, city, town, or port at which such owner or master shall reside, or to which the ship of such owner or master shall belong; or if committed on any part of the sea from *Orfordness* to the mouth of the river *Thames*, or from *Dungeness* to the mouth of the river *Thames*, or upon the rivers *Thames* or *Medway*, then only before some justice or justices of the peace of the counties of *Kent*, *Surrey*, *Essex*, or *Middlesex*, or before some magistrate or magistrates of the city of *London*; and all and every the justice and justices, and magistrate and magistrates aforesaid, is and are hereby empowered and required, upon complaint to him or them made, to grant a warrant to bring before him or them such offender at the time or place in such warrant specified; and if on conviction of the offender on his confession, or on the evidence of one credible witness upon oath, (which oath such justice or magistrate is hereby empowered to administer,) such fine, penalty, or forfeiture shall not be forthwith paid, it shall and may be lawful to and for such justice or justices, magistrate or magistrates, to levy the penalty by distress, and for want of distress to commit every such offender to the common gaol or house of correction for the county, city, or place where such offender or offenders shall be

convicted there to remain without bail or mainprize for any time not exceeding six calendar months, nor less than 21 days, unless such fine, penalty, or forfeiture, and all reasonable charges attending the recovery thereof, shall be sooner paid: provided, that in case the said respective periods of 12 calendar months and 6 calendar months, or either of them, within which fines, penalties, or forfeitures are to be sued for as aforesaid, shall in any case elapse and run out before any action or prosecution hereby authorized and directed shall have been commenced for the recovery of such fines, penalties, or forfeitures; and if it shall in manner herein-after mentioned be made to appear, as soon after as the circumstances of the case shall reasonably admit, that the commencement of the action or prosecution has been delayed by reason of the absence of any party or parties whether offending or complaining, or by the absence of any necessary witness, then upon such circumstances being stated by affidavit in writing, made before any judge of any of H. M.'s courts of record at *Westminster*, it shall thereupon be lawful for any such judge or judges to order or authorize the commencement of such action or prosecution within such further time as such judge shall think fit to limit in that behalf; and in such case the action or actions, prosecution or prosecutions so ordered or authorized shall and may be commenced and prosecuted within the time or respective times so limited, in like manner and with the like effect in all respects as if such prosecutions had been commenced and prosecuted within the said respective periods of 12 months and 6 months hereby limited, 6 G. 4. c. 125. s. 77.

79. In case any person against whom a warrant shall be issued by any justice or justices, magistrate or magistrates, before or after any conviction for any offence against this act, shall escape, go into, or reside, or be in any other county, riding, division, city, liberty, town, or place not within the jurisdiction of the justice or justices, magistrate or magistrates, granting such warrant, it shall be lawful for any justice of the peace of the county, riding, division, city, liberty, town, or place into which such person shall escape, either before or after conviction, and they and every of them are hereby required upon proof made upon oath of the hand-writing of any justice or justices, magistrate or magistrates, granting such warrant, to endorse his name on such warrant, and the same when so endorsed shall be sufficient authority to all peace-officers to execute such warrant in such other county, riding, division, city, town, or place, out of the jurisdiction of the justice or justices granting the said warrant; and any justice or justices respectively, on the offender being apprehended and brought before him or them, within their respective jurisdictions, may proceed to hear and determine the complaint, in the same manner as if it had originally arisen within his or their respective jurisdictions, or may direct the offender to be carried, and such offender shall accordingly, in that case, be carried to or before the justice or justices who granted the original warrant, to be dealt with according to law, 6 G. 4. c. 125. s. 78.

80. If any person who shall be summoned as a witness upon any complaint or information before any justice or justices of the peace, magistrate or magistrates, shall refuse or neglect to appear at the time by such summons appointed, having no just cause for such neglect or refusal, it shall be lawful for such justice or justices, magistrate or magistrates, on proof of such summons having been served, and of a tender of reasonable expences having been made to such person on his being served with such summons, to issue a warrant, under his hand and seal or their hands and seals, to bring such person before him or them; and if on appearance, or on being brought before any justice or justices, magistrate or magistrates, such person shall refuse to be examined on oath concerning the premises, without having some just cause for such refusal, it shall be lawful for such justice or justices, magistrate or magistrates, by warrant under his hand and seal, or their hands and seals, to commit such person to the house of correction of the county, city, division, or place where any such person shall be apprehended, there to remain for any time not exceeding six weeks, nor less than 10 days, as any such justice or justices, magistrate or magistrates, shall direct, 6 G. 4. c. 125. s. 79.

81. Every person who in any examination upon oath, under the provisions of this act, shall wilfully give false testimony, or a false account of the matter sworn to by such person, shall be liable to be prosecuted for the same by indictment, and if duly convicted of false swearing in the premises, shall be subject and liable to such punishments, disqualifications, and disabilities, as any person would be subject or liable to for wilful and corrupt perjury, in any other case by the laws and statutes of the realm, 6 G. 4. c. 125. s. 80.

82. And for the more easy and speedy conviction of offenders against this act, be it further enacted, That all and every justice and justices of the peace, magistrate or magistrates, before whom any person shall be convicted of any offence against this act, or against any bye-law, rule, regulation, or order hereby directed to remain in force, or hereafter to be made under the authority hereof, shall and may cause the conviction to be drawn up according to the following form, or in words to the like effect; *videlicet*,

'Be it remembered, That on the — day of — in the year of our Lord —

A. B. is convicted before me [or us], one [or two, as the case may be] of H. M.'s justices of the peace for the — [here specify the offence, and the time and place when and where committed, as the case may be,] contrary to an act passed in the sixth year of the reign of King George the Fourth, intituled [here insert the title of this act], and I [or we] do adjudge that the said — [insert the offender's name] hath therefore forfeited the sum of [here insert the penalty]. Given under my hand and seal [or our hands and seals] the day and year first above written.'

And no certiorari, or other writ or process for the removal of any such conviction or any proceedings thereon, into any of H. M.'s courts of record at *Westminster*, shall be allowed or granted, 6 G. 4. c. 125. s. 81.

83. It shall and may be lawful to and for any person so convicted by any justice or justices of the peace, magistrate or magistrates before mentioned, of any offence against this act, or against any bye-law, rule, order, regulation, or ordinance hereby directed to remain in force, or hereafter to be made under the authority hereof, within three calendar months next after such conviction, to appeal to the justices of the peace assembled at the general quarter sessions holden for the county, city, or place where the matter of appeal shall arise, first give 10 days' notice of such appeal to the person appealed against, and of the matter thereof, and within 14 days next after such notice entering into a recognizance before some justice of the peace for such county, city, or place, with sufficient sureties conditioned to try such appeal, and for abiding the determination of the court therein; and such justices so assembled shall, upon due proof of such notice having been given, and recognizance entered into, hear and determine the matter of such appeal, and may either confirm or quash and annul the said conviction, and award such costs to either party as to them shall seem just and reasonable (and the decision of the said justices therein shall be final, binding, and conclusive); and no proceeding to be had or taken in pursuance of this act shall be quashed or vacated for want of form only, or be removed by *certiorari* or any other writ or process whatsoever, into any of H. M.'s courts of record at *Westminster* or elsewhere; any law or statute to the contrary thereof in anywise notwithstanding, 6 G. 4. c. 125. s. 82.

84. One-third of all fines or penalties to be levied in pursuance of this act, or under any bye-law, rule, order, regulation, or ordinance hereby directed to remain in force, or hereafter to be made under the authority of this act, by whomsoever incurred (save and except such fines or penalties, the application whereof shall by this act be otherwise expressly provided for), shall go to the person who shall inform or sue for the same, and the remainder of all such fines or penalties shall be carried to and applied to the purposes of the said fund belonging to the said corporation of Trinity-house, called "The Pilots' Fund," in case such fines or penalties shall be incurred by pilots licensed by the said corporation, or by any person in relation to any matters wherein such last-mentioned pilots shall be in anywise concerned; and in case such fines or penalties shall be incurred by pilots belonging to the fellowship of the cinque ports, or by pilots under any other jurisdictions or authorities, or by any other person in relation to any matters wherein such pilots respectively shall be in anywise concerned, then the remaining two-thirds of such last-mentioned fines or penalties shall be carried to and applied to the purposes of such fund as hath been or shall be created for the relief of such indigent pilots belonging to the said fellowship, or such other jurisdictions or authorities respectively, as shall become incapable of discharging their duty from advanced age, or from any accident or infirmity, 6 G. 4. c. 125. s. 83.

85. If any suit or action shall be brought or prosecuted against any person for anything done or to be done in pursuance of this act, in every such case the action or suit shall be commenced within six calendar months next after the fact committed, and not otherwise, and shall be laid in the county, city, or place where the cause of action arises; and the defendant may plead the general issue not guilty, and give this act and the special matter in evidence at the trial, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to be done, or if any such action or suit shall be brought after the time limited for bringing the same, then the jury shall find for the defendant; and if the plaintiff shall become nonsuited, or suffer a discontinuance, or if a verdict shall pass against him, or if upon demurrer judgment shall be given against him, the defendant shall have treble costs, and shall have such remedy for the same as any defendant hath for costs of suit in other cases of law, 6 G. 4. c. 125. s. 84.

86. All acts of parliament, and all clauses, provisions, powers, authorities, regulations, penalties, and forfeitures contained in any act, which in any manner relate to the regulation of pilots or pilotage within any river, port, or harbour, or within any local limits specified in any such act, clause, or provision, and in which any reference is made to the 48 G. 3. c. 104., or 52 G. 3. c. 39., or either of them, or in any manner apply thereto, or vary or alter any of the provisions thereof as to pilots or pilotage within any such limits, shall continue in full force notwithstanding their repeal, and shall be deemed to refer and apply to this act, and shall be so construed as if the same were particularly referred to in this act; any thing in this act to the contrary notwithstanding, 6 G. 4. c. 125. s. 85.

87. Provided, that nothing in this act contained shall extend or be construed to extend to any ships or vessels belonging to H. M., as to their being compelled to take pilots on board, 6 G. 4. c. 125. s. 86.

88. Provided, that nothing herein contained shall extend to affect or impede the jurisdiction of the court of loadmanage, as far as respects the pilots appointed under the authority of the said court; and provided also, that nothing in this act contained shall extend or be construed to extend to affect or impair the jurisdiction of the high court of admiralty, 6 G. 4. c. 125. s. 87.

89. Provided, that nothing in this act contained shall extend or be construed to extend to prejudice or take away any right, property, authority, or jurisdiction of the mayor of the city of London, or of the mayor and commonalty and citizens of the city of London, to, in, and upon the river Thames aforesaid, 6 G. 4. c. 125. s. 88.

90. Nothing in this act contained shall extend or be construed to extend to the taking away, abridging, defeating, impeaching, or interrupting of any grants, liberties, franchises, or privileges heretofore granted by any charters or acts of parliament to the pilots of the Trinity-house of the town of Kingston-upon-Hull, or the Trinity-house of Newcastle-upon-Tyne, or to give any authority to the corporation of the Trinity-house of Deptford Strond, within any ports or districts having separate jurisdictions in matters of pilotage, under any act of parliament or charter, or to alter or repeal any provisions contained in any act or acts of parliament relating to the pilots of any ports or districts in relation to which particular provision shall have been made in any act or acts of parliament as to the pilots or pilotage, or to the pilotage within the limits prescribed by any act or acts of parliament relating to pilotage for

such ports, or to the burthen of vessels navigating to or from such ports, 6 G. 4. c. 125. s. 89.

91. All provisions, clauses, penalties, and forfeitures, contained in 8 El. c. 15. [Stat. Dig. tit. SEA-MARKS, pl. 1.], or any other act made and in force for the preservation of sea-marks and beacons, shall extend and be construed to extend to all vessels duly appointed to exhibit lights therein for the preservation of ships and vessels at sea, and to all persons removing, injuring, or destroying such vessels or lights, which offences may be laid and tried in any county in Eng., 6 G. 4. c. 125. s. 90.

92. Every person who shall ride by, make fast to, or remove, or wilfully run down, or run foul of any vessel, appointed or placed to exhibit lights, or any buoy or beacon belonging to the said corporation of Trinity-house of Deptford Strond, or belonging to or placed by any other corporation having lawful authority to place the same, shall, besides being liable to the expence of replacing or making good any damage occasioned thereby, forfeit for every such offence any sum not exceeding 50*l.*, nor less than 10*l.*, to be recovered by action of debt, bill, plaint, or information in which no essoign, protection, privilege, wager of law, or more than one imparlance shall be granted or allowed; one-third of which said penalty shall go to the persons who shall inform or sue for the same, and the remainder of which said penalty shall go to the said corporation of Trinity-house of Deptford Strond, or other the corporation to which such vessel, buoy, or beacon shall belong, or by which the same shall have been placed as aforesaid, as the case may be, to be applied to the charitable purposes of the said corporations respectively, 6 G. 4. c. 125. s. 91.

SCHEDULES to which 6 G. 4. c. 125 refers.

SCHEDULE (A.)

TABLE (A.) [s. 25. pl. 26.]—Table of the Rates of Pilotage to be demanded and received by Pilots licensed by the Corporation of Trinity-House of Deptford Strond, for piloting Ships and Vessels within the Limits in the said Table mentioned.

FROM.	TO	7 Feet, and under.	8 Feet.	9 Feet.	10 Feet.	11 Feet.	12 Feet.	13 Feet.	14 Feet.	15 Feet.	16 Feet.	17 Feet.	18 Feet.	19 Feet.	20 Feet.	21 Feet.	22 Feet.	23 Feet, and upwards.
The Sea, Orfordness, the Downs, Hoseley Bay, and vice versâ	Nore or Warps	£. s. d. 3 13 6	£. s. d. 4 2 9	£. s. d. 4 12 0	£. s. d. 5 1 3	£. s. d. 5 5 9	£. s. d. 6 5 0	£. s. d. 6 13 6	£. s. d. 7 7 3	£. s. d. 7 16 6	£. s. d. 8 14 9	£. s. d. 9 8 6	£. s. d. 10 17 0	£. s. d. 11 10 0	£. s. d. 12 17 6	£. s. d. 14 5 3	£. s. d. 16 11 3	£. s. d. 18 8 0
	Gravesend, Chat- ham, Standgate Creek, or Black- stakes	4 12 0	5 7 9	6 3 3	6 18 0	7 11 9	8 5 6	8 19 6	9 13 3	10 7 0	11 0 9	11 14 6	14 1 6	16 13 0	19 6 6	21 5 0	23 3 9	25 2 3
	Long Reach	4 16 6	5 12 3	6 8 0	7 2 6	7 18 3	8 14 9	9 8 6	10 0 0	10 16 3	11 10 0	13 3 6	15 9 0	18 11 9	21 5 0	23 0 0	24 16 9	26 13 6
	Woolwich or Blackwall	5 5 9	6 1 6	6 17 0	7 11 9	8 10 3	9 4 0	10 2 6	11 0 9	11 14 6	12 8 6	14 3 6	16 5 9	19 11 0	22 1 6	24 16 9	27 12 0	—
	Moorings or Lon- don Docks	5 16 0	6 9 9	7 3 6	7 17 3	8 19 6	9 13 3	10 11 6	11 10 0	12 8 6	13 2 3	14 14 6	17 0 6	20 10 3	23 4 6	—	—	—
The Nore or Warps, and vice versâ	Gravesend, Stand- gate Creek, or Blackstakes	1 18 9	2 3 3	2 7 0	2 10 6	2 19 9	3 6 3	3 11 9	3 15 6	4 2 9	4 10 3	5 1 3	5 16 0	6 8 9	7 14 6	8 14 0	9 13 3	10 12 6
	Long Reach or Chatham	2 6 0	2 10 6	2 15 3	2 19 9	3 9 0	3 18 3	4 2 9	4 7 0	4 13 9	5 5 0	5 16 0	6 15 3	8 5 6	9 13 3	10 12 6	11 11 9	12 15 3
	Woolwich or Blackwall	2 15 3	3 1 9	3 8 0	3 13 6	4 2 9	4 10 3	4 19 0	5 8 6	5 16 0	6 4 3	7 2 6	8 3 9	9 4 0	11 11 9	12 11 3	13 16 0	—
	Moorings or Lon- don Docks	3 4 6	3 10 9	3 17 3	4 2 9	4 16 6	5 5 9	5 15 0	6 4 3	6 13 6	7 2 6	8 1 0	9 4 0	11 0 9	12 17 6	13 16 0	—	—
Gravesend, Reach, and vice versâ	Long Reach	0 9 3	0 14 9	1 0 3	1 5 3	1 10 0	1 14 6	1 19 0	2 3 9	2 8 3	2 13 0	2 17 6	3 2 0	3 6 9	3 11 3	4 12 0	5 10 6	—
	Woolwich or Blackwall	1 3 0	1 7 6	1 12 3	1 16 9	2 4 3	2 13 6	3 2 6	3 11 9	3 18 3	4 5 6	4 13 9	5 1 3	6 4 3	7 11 9	8 19 6	9 13 3	—
	Moorings or Lon- don Docks	1 7 6	1 14 0	2 0 6	2 6 0	2 15 3	3 4 6	3 13 6	4 2 9	4 12 0	5 1 3	5 10 6	5 19 6	7 7 3	8 14 9	—	—	—
	Sheerness, Stand- gate Creek, or Blackstakes	2 15 3	2 19 0	3 1 9	3 4 6	3 13 6	4 2 9	4 12 0	5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 5	—	—	—
	Chatham	3 4 6	3 8 0	3 10 9	3 13 6	4 2 9	4 12 0	5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 5	8 5 6	—	—	—
Long Reach, and vice versâ	Woolwich or Blackwall	0 18 6	1 2 0	1 4 9	1 7 6	1 16 9	2 6 0	2 15 3	3 4 6	3 13 6	4 2 9	4 12 0	5 3 6	5 16 0	6 8 9	8 5 6	9 4 0	—
	Moorings or Lon- don Docks	1 7 6	1 11 3	1 14 0	1 16 9	2 6 0	2 15 3	3 4 6	3 13 6	4 2 9	4 12 0	5 3 6	5 16 0	6 8 9	7 7 3	9 4 0	—	—
	Sheerness, Stand- gate Creek, or Blackstakes	3 4 6	3 8 0	3 10 9	3 13 6	4 2 9	4 12 0	5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 17 6	8 5 6	8 14 9	—	—
	Chatham	3 13 6	3 17 3	4 0 0	4 2 9	4 12 0	5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 6	8 5 6	8 14 9	9 4 0	—	—
Woolwich or Blackwall, and vice versâ	Moorings or Lon- don Docks	0 18 6	1 2 0	1 4 9	1 7 6	1 10 0	1 12 3	1 16 9	2 1 6	2 6 0	2 10 6	2 15 3	2 19 9	3 4 6	3 9 0	—	—	—
	Sheerness, Stand- gate Creek, or Blackstakes	3 13 6	3 17 3	4 0 0	4 2 9	4 12 0	5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 6	8 5 6	8 14 9	—	—	—
	Chatham	4 2 9	4 6 6	4 9 3	4 12 0	5 1 3	5 10 6	5 19 6	6 8 9	6 18 0	7 7 3	7 16 6	8 5 6	8 14 9	9 4 0	—	—	—

Ships not having British Registers are to pay One-fourth more than Ships having British Registers, except when such first-mentioned Ships shall be chiefly laden with Corn or other Provisions,

SCHEDULE (A.) *continued.*

Provisions, or shall, by any Order of His Majesty's most Honourable Privy Council, be privileged to enter the Ports of this Kingdom, upon paying the same Duties of Tonnage as are paid by British Ships, in which case such Ships and Vessels not having British Registers shall pay the like Rates of Pilotage only as are payable by Ships having British Registers.

For Half a Foot exceeding the above Draughts of Water, the medium Price between the Two Limits. — For intermediate Distances a proportionate Rate.

For removing a Ship or Vessel from Moorings into a Dry or Wet Dock:

For a Ship under 300 Tons	-	-	£0 15 0
300 to 600	-	-	1 1 1
600 to 1000	-	-	1 11 6
above 1000	-	-	2 2 0

In the River Thames, above Gravesend.	{	For a Boat of a Class carrying an Anchor of above 4 Cwt. with a corresponding Tow Line	£2 2 0	} Per Trip for the whole Distance from Gravesend to London; and in proportion for any Part of that Distance.
Do.	-	Do. 2 Cwt.	1 1 0	
Do.	-	Do. under 2 Cwt.	0 15 0	

And for each Man's Service in those Boats, 8s. per Tide.

TABLE (B.) [s. 25. pl. 26.]—A Table of the Rates of Pilotage to be demanded and received by pilots licensed by the Lord Warden of the Cinque Ports and Constable of Dover Castle, or his Lieutenant for the time being, for piloting Ships and Vessels within the limits in the said Table mentioned.

FROM	TO	Under 7 Feet.	From 7 Feet to 10 Feet.	11 Feet.	12 Feet.	13 Feet.	14 Feet.	15 Feet.	16 Feet.	17 Feet.	18 Feet.	19 Feet.	20 Feet.	21 Feet.	22 Feet.	23 Feet, and upwards.
The Downs	Nore, Sheerness, Standgate-Creek, Gravesend	£. s. d. 5 5 0	£. s. d. 7 17 6	£. s. d. 8 13 3	£. s. d. 9 9 0	£. s. d. 10 4 9	£. s. d. 11 0 6	£. s. d. 11 16 3	£. s. d. 12 12 0	£. s. d. 13 7 9	£. s. d. 16 1 3	£. s. d. 19 0 0	£. s. d. 22 1 0	£. s. d. 24 5 0	£. s. d. 26 9 2	£. s. d. 28 13 3
	Longreach	5 16 0	8 8 6	9 9 0	10 4 9	11 3 0	11 18 10	12 18 3	13 14 0	15 0 9	17 14 4	21 4 2	24 5 1	26 9 2	28 13 3	30 17 4
	Blackwall or London	6 12 3	8 19 6	10 4 9	11 0 6	12 1 6	12 17 3	14 0 4	14 16 0	16 13 9	19 7 5	23 8 3	26 9 2	28 13 3	—	—
Standgate-Creek	Gravesend	3 6 2	3 17 0	4 8 2	4 19 0	5 10 3	6 1 3	6 12 3	7 3 3	7 14 4	8 5 4	8 16 4	9 7 4	—	—	—

From the several Rates mentioned in this Table B. there shall be deducted 5 per Cent. when the number of Cinque Port Pilots shall be reduced to 120.

Ships not having British Registers are to pay One Fourth more than Ships having British Registers, except when such first-mentioned Ships shall be chiefly laden with Corn or other Provisions, or shall, by any Order of His Majesty's most Honourable Privy Council, be privileged to enter the Ports of this Kingdom, upon paying the same Duties of Tonnage as are paid by British Ships, in which Case such Ships and Vessels, not having British Registers, shall pay the like Rates of Pilotage only as are payable by Ships having British Registers.

For Half a Foot, exceeding the above Draughts of Water, the medium Price between the Two Limits.—For intermediate Distances, a proportionate Rate.

For putting a Pilot on board, and for Pilotage of Ships and Vessels to the Anchorage in the Downs. *	60 Tons, and under 150.	150 Tons, and under 250	250 Tons, and under 400.	400 Tons, and under 600.	600 Tons, and upwards.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
From off Dungeness to off Folkestone; the Church bearing N.N.W by Compass	2 0 0	3 0 10	3 10 0	4 0 0	5 5 0
From off Folkestone to the South Foreland, the Lights in one	1 10 0	2 0 0	2 10 0	3 0 0	4 4 0
From off the South Foreland to the Downs	1 5 0	1 5 0	1 10 0	2 0 0	3 3 0

In the River Thames above Gravesend.	{	For a Boat of a Class carrying an Anchor of above 4 cwt. with a corresponding Tow Line	£. s. d. 2 2 0	} Per Trip for the whole Distance from Gravesend to London; and in proportion for any Part of that Distance.
Do.	-	Do. 2 cwt.	1 1 0	
Do.	-	Do. under 2 cwt.	0 15 0	

And for each Man's Service in those Boats, 8s. per Tide.

* When the Pilot is put on board by a Boat from the Shore, One Seventh to the Pilot, and the remaining Six Sevenths to the Boat and Crew.

SCHEDULE (B.) [See s. 17, pl. 18.]

Oath to be taken by the master and wardens of the society of cinque port pilots.

'I A. B. do swear, that I will diligently and impartially examine and inquire into the capacity and skill of — in the art of piloting ships and vessels over the flats, and round the Long Sand Head, and up the rivers of Thames and Medway, and into Ramsgate, Dover, Sandwich, and Margate harbours, and also upon the coasts of Flanders and Holland; and will make true and speedy return thereof to the lord warden of the cinque ports for the time being, or his deputy, without favour, affection, fee, or reward. So help me God.'

SCHEDULE (C.) [See s. 5, pl. 6.]

Oath to be taken by sub-commissioners for pilotage.

'I A. B. do swear, that I will diligently and impartially examine into the capacity and skill of — in the art of piloting ships and vessels into the roadstead, port, or harbour, and upon the coasts following; *videlicet* [here describe the limits within which the person examined is intended to act as pilot] and will make true and speedy return thereof to the corporation of Trinity-house of Deptford Strond, without favour, affection, fee, or reward, other than such fee or reward as is allowed by the bye-laws or regulations duly established in that behalf. So help me God.'

PIRACY.

1. For encouraging the capture or destruction of piratical ships and vessels, 6 G. 4. c. 49.

2. Whereas it is expedient to give encouragement to the commanders, officers, and crews of H. M.'s ships of war and hired armed ships to attack and destroy any ships, vessels, or boats, manned by pirates or persons engaged in acts of piracy: be it therefore enacted, That from and after the passing of this act [22d June 1825], there shall be paid by the treasurer of H. M.'s navy, upon bills to be made forth by the commissioners of the navy, to be paid according to the course thereof, without fee or reward, unto the officers, seamen, marines, soldiers, and others, who shall have been actually on board any of H. M.'s ships or vessels of war, or hired armed ships, at the actual taking, sinking, burning, or otherwise destroying of any ship, vessel, or boat, manned by pirates or persons engaged in acts of piracy, since the 1st Jan. 1820, the sum of 20*l.* for each and every such piratical person, either taken and secured or killed during the attack on such piratical vessel, and the sum of 5*l.* for each and every other man of the crew not taken or killed, who shall have been alive on board such pirate vessel at the beginning of the attack thereof; the numbers of such piratical men respectively to be proved by the ship's papers taken on board such piratical ship, vessel, or boat, verified by the oaths of two or more of the persons who shall have found and taken possession of such papers, or by such other evidence as under the circumstances of the case shall, by the judge of the high court of admiralty, or by the judge of any other court authorized to take cognizance of such matter, be deemed sufficient proof thereof, 6 G. 4. c. 49. s. 1.

3. And for the more speedy distribution of such reward payable in respect of pirates or pirate vessels, taken or destroyed in distant parts; be it further enacted, That when and so soon as the amount of the bounty so to be paid, and the numbers of men in respect of whom it shall be payable, shall have been ascertained in manner aforesaid, it shall and may be lawful for the commissioner of the navy resident at any of H. M.'s dock-yards abroad, or in the absence of a commissioner of the navy, for the naval officer and storekeeper, or if there shall be no such commissioner or naval officer, then for the commander-in-chief or senior officer of H. M.'s ships and vessels at the port or place into which the piratical ship, vessel, or boat shall be taken to be proceeded against, or in case of the destruction of the vessel, the place into which the piratical persons seized shall be carried, to draw upon the commissioners of the navy a bill or bills at 30 days' sight for the amount of such bounty, which bill or bills shall, upon the said commissioners being satisfied of the correctness and amount thereof by the production to them of the proof herein-before required, be by them assigned for payment on the treasurer of the navy, and when paid be charged as an imprest on the person so drawing the same; and that all bills so to be made out by the commissioners of the navy, or to be drawn upon them as aforesaid, shall be made payable to such person or persons as shall be authorized and appointed agents for the appraisement and sales of such piratical ships or boats in respect of which such bounty shall be payable, or for the receipt of such bounty only, in case such piratical ships, vessels, or boats shall have been sunk, burnt, or destroyed, in like manner as by 45 G. 3. c. 72. * [Stat. Dig. tit. PRIZE, STAT. rep., pl. 6.] intituled, *An Act for the encouragement of seamen, and for the better and more effectually manning H. M.'s navy during the present war*, was directed with respect to the appointment of agents for the appraisement and sale of prizes taken from the enemy; and that the same bounty shall be paid, distributed, and divided by such authorized and appointed agent or agents, to and amongst such persons, and in such manner, form, and proportion as H. M., his heirs or successors, by any order or orders in council for that purpose, shall think fit to declare and direct, 6 G. 4. c. 49. s. 2.

4. If any ship, vessel, boat, goods, merchandize, or other property found and taken in the possession of pirates, shall be duly proved in and adjudged by the court of admiralty or other court having competent jurisdiction therein, to have belonged to and to have been taken from any of H. M.'s subjects, then such ship, vessel, boat, goods, merchandize, and other property, and every part thereof so proved, shall by the decree of the said court be adjudged to be restored, and shall be accordingly restored to the former owner or owners thereof respectively, he or they paying for or in lieu of salvage a sum of money equal to one-eighth part of the true value of such ship, vessel, boat, goods, merchandize, and

other property respectively; which money shall be paid to and divided and distributed amongst such persons, and in such manner, form, and proportion, as shall by any proclamation or order of H. M. in council, be directed for the distribution of the produce of any ship, vessel, boat, goods, or other property of pirates, 6 G. 4. c. 49. s. 3.

5. No person or persons who shall desert from any of H. M.'s ships or hired armed vessels, or otherwise from H. M.'s service, shall be entitled to receive any proportion of bounty money, salvage, or other monies payable by virtue of this act; but that the shares of all such persons, as well as all other shares which shall not be legally demanded within the times prescribed by the 45 G. 3. c. 72. * for the demand of prize-money, shall be paid over to the treasurer of the royal hospital at Greenwich, within such times, in such manner, and to and for such uses and purposes, and subject to such provisions, regulations, and exceptions, as in the said act is mentioned with respect to prize-money, 6 G. 4. c. 49. s. 4.

6. All and every person who shall be so nominated and appointed agent or agents as aforesaid, for the appraisement and sale of any piratical ships, vessels, or boats taken by any of H. M.'s ships or vessels, or hired armed ships, or for the distribution of the bounty money by this act given, shall exhibit and cause to be registered their letter or letters of attorney in the respective courts wherein the proceedings touching the vessels so taken, or touching such bounty or salvage, shall be had; and all such agents shall be subject to such forfeitures and disqualifications for not registering the same as in and by the 45 G. 3. c. 72. * are enacted and provided, 6 G. 4. c. 49. s. 5.

POLICE.

1. For the more effectual administration of the office of a justice of the peace in and near the metropolis, and for the more effectual prevention of depredations on the river Thames and its vicinity, for seven years, 3 G. 4. c. 55. [PUBLIC CLAUSE, s. 50. AMD. 6 G. 4. c. 21.]

2. Whereas it is expedient that the provisions of 1 & 2 G. 4. c. 118. intituled, *An Act for the more effectual administration of the office of a justice of the peace in and near the metropolis, and for the more effectual prevention of depredations on the river Thames and its vicinity, for one year*, should be continued and amended: be it enacted, That the several police offices now established in the parishes of Saint Margaret Westminster, Saint James Westminster, Saint Mary-le-bone, Saint Andrew Holborn, Saint Leonard Shoreditch, Saint Mary Whitechapel, and Saint John Wapping, in the county of Middlesex, and Saint Saviour in the county of Surrey, shall be continued; and that the several persons heretofore appointed to execute the duties of a justice of the peace at the police-offices now established under the said recited act, shall continue to execute the same at the said eight police-offices, together with such other justices of the peace for the said counties respectively as may think proper to attend thereat; and that it shall be lawful for H. M., upon every vacancy, by death or otherwise, to appoint another fit person, being a justice of the peace of the said counties of Middlesex and Surrey respectively, to execute the duties of a justice of the peace at the said several police-offices, in lieu of the person making such vacancy, 3 G. 4. c. 55. s. 1.

3. One or more of the said justices so appointed shall diligently attend at each of the said police-offices every day, from 10 in the morning until 8 in the evening, and at such other times and places as shall be found necessary, and directed by one of H. M.'s principal secretaries of state; and that two of the said justices shall in like manner attend together at each of the said offices from 12 at noon until 3 in the afternoon; provided, that no such attendance shall be given on Sunday, Christmas Day, Good Friday, or any day appointed for a public fast or thanksgiving, unless in cases of urgent necessity, or when it shall be directed by such principal secretary of state, 3 G. 4. c. 55. s. 2.

4. The present receiver for the said police-offices shall continue such receiver, and it shall be lawful for H. M., upon any vacancy in the said office of receiver, by death or otherwise, to appoint any other proper person, not being one of the justices appointed to act at either of the said police-offices, to be the receiver of the said eight police-offices; and that the said receiver for the time being shall receive all fees, penalties, and forfeitures, and other sums of monies applicable to the purposes of this act, and shall keep an exact and particular account of all such monies as shall be received by him, and shall apply the same quarterly in discharge of the salaries, expences, and charges attending the said police-offices, and in carrying this act into execution, and shall make all such contracts and disbursements as shall be necessary for purchasing, hiring, fitting up, and furnishing proper and sufficient houses and buildings wherein the said eight police-offices shall be held, in such manner as H. M., by and with the advice and consent

[* Note.—The framers of this act appear to have overlooked the circumstance that the 45 G. 3. c. 72. had expired in part, and was, as to the residue, repealed by 5 G. 4. c. 93. s. 1., which see, Stat. Dig. tit. PRIZE, pl. 10, 11. et seq.]

of his privy council, shall think proper to direct and appoint; of which houses and buildings so to be hired or purchased, and of all houses and buildings already hired or purchased for the like purposes, and of the fixtures and furniture thereof, and of all other necessities to be held or purchased for the purposes of this act, the property acquired therein shall be vested in the receiver for the time being, who shall and may sell, assign, and dispose of the same or any part thereof, under the like directions and appointment, as occasion shall require; and such receiver shall prepare proper plans and estimates of all such contracts and disbursements as shall be necessary for the purposes aforesaid, and shall deliver the same to one of H. M.'s principal secretaries of state; and shall further do and execute all such other lawful matters and things towards the establishment of the said eight police-offices, and towards the carrying this act into execution, as H. M., by and with the advice of his privy council, shall from time to time think proper to direct, 3 G. 4. c. 55. s. 3.

5. The justices appointed as aforesaid, or any two of them, in their respective offices, shall appoint, retain, and employ a sufficient number of fit and able men, subject to the approbation of one of H. M.'s principal secretaries of state, whom they are hereby authorized and empowered to swear in to act as constables, for preserving the peace and preventing robberies and other felonies, and apprehending offenders against the peace; which constables so sworn shall, within the counties of *Middlesex, Surrey, Essex, and Kent*, have all such powers, authorities, privileges, and advantages as any constable duly appointed now has, or hereafter may have by virtue of any law or statute now made or hereafter to be made; and shall obey all such lawful commands as they shall from time to time receive from the said justices respectively, for the apprehending offenders, or otherwise conducting themselves in the execution of their offices; and such justices may at any time suspend or dismiss from his employment any such constable attached to their respective offices, whom they shall think remiss or negligent in the execution of his duty, or otherwise unfit for the same; and when any such constable shall be so dismissed, or cease to belong to any of the said offices, all powers and authorities vested in him as a constable under this act, shall immediately cease and determine, 3 G. 4. c. 55. s. 4.

6. The justices appointed to the said police-office in the parish of *Saint John Wapping*, commonly called the "*Thames Police Office*," or any two of them, shall (subject to such approbation as aforesaid) appoint, retain, and employ any number of fit and discreet men, not exceeding 50, who, under the name of *Thames police surveyors*, shall (being first duly sworn in manner above mentioned) have, within the counties aforesaid, the powers, authorities, privileges, and advantages of a constable as aforesaid; and shall direct and inspect the conduct of the constables attached to the *Thames police-office*, and of all persons to be employed in and about ships and vessels in the said river *Thames*, or in or on the several creeks, wharfs, quays, and landing-places thereto adjacent, and (subject to the orders of the said last-mentioned justices) shall have power by virtue of their offices to enter at all times, as well by night as by day, into and upon every ship, hoy, barge, lighter, boat, or other vessel (not being then actually employed in H. M.'s service) lying or being in the said river or creeks, and into every part of every such vessel, for the purpose of inspecting, and upon occasion directing the conduct of any constable who may be stationed on board of any vessel, and of inspecting and observing the conduct of all other persons who shall be employed on board of any vessel in or about the lading or unlading thereof as the case may be, and for the purpose of taking all such measures as may be necessary for providing against fire and other accidents, and preserving peace and good order on board of any such vessel, and for the effectual prevention in all cases of any felonies or misdemeanors being committed, and for the effectual detection of any felonies or misdemeanors which may have been committed, or which such surveyor may have reasonable cause to suspect to have been committed on board any such vessel; and the justices appointed to the said *Thames police-office* may at any time suspend or dismiss any such *Thames police surveyor* whom they shall find remiss or negligent in the execution of his duty, or otherwise unfit for the same; and when any such surveyor shall be so dismissed, or cease to belong to the said office, all powers and authorities vested in him as such surveyor under this act, shall immediately cease and determine, 3 G. 4. c. 55. s. 5.

7. It shall be lawful for H. M., to direct that such sum shall be issued quarterly out of the consolidated fund of the U. K. of *G. B. and Ire.*, to the said receiver, as will be sufficient to pay the yearly salary of 600*l.*, clear of all fees or deductions, to each of the justices so appointed to attend at the said police-offices, for their time and trouble; and such further sums as may be necessary for the expences of the offices, and for the payment of clerks, constables, surveyors, and others therein employed, and for the payment of the expences of the public-office in *Bow Street*, and of the magistrates, clerks, and constables, and others therein employed, and of the horse and foot patrol acting under the orders of the chief magistrate of that office; provided that the whole of the said charges

shall not exceed the annual sum of 68,000*l.*, over and above the necessary disbursements for purchasing, hiring, repairing, fitting up, and furnishing the houses and buildings wherein the said offices shall be held; and that the said receiver, out of the monies so issued to him, shall pay to the constables and surveyors so appointed as aforesaid, for their trouble and attendance, such sum as may from time to time appear reasonable to one of H. M.'s principal secretaries of state, and any extraordinary expences they shall appear to have been necessarily put to in apprehending offenders, and executing the orders of the justices acting under this act; such extraordinary expences being first examined and approved of by the justices attending the police-office to which such constables shall be respectively attached; and such further sum for rewarding the extraordinary diligence or exertion of any of the said constables or surveyors, and for compensating them for wounds or severe injuries received in the performance of their duties, and for an allowance to such of them as shall be completely disabled by bodily injury received, or shall be worn out by length of service, as shall be directed by such principal secretary of state, 3 G. 4. c. 55. s. 6.

8. This salary increased to any sum not exceeding 800*l.* per ann., in discretion of a secretary of state, commencing from 5th April 1825, 6 G. 4. c. 21. s. 1.

9. No justice of the peace for the county of *Middlesex*, county of *Surrey*, city and liberty of *Westminster*, or liberty of the tower of *London*, or his clerk, or any person on their behalf, elsewhere than at the said police-offices, shall directly or indirectly, upon any pretence or under any colour whatever, take or receive any fee, reward, gratuity, or recompence, for any act by him or them done or to be done in the execution of his or their office or employ, as justice of the peace, or clerk as aforesaid, within the limits of the weekly bills of mortality, or within the parishes of *Saint Mary-le-bone, Paddington, Saint Pancras, Kensington, and Saint Luke Chelsea*, in the said county of *Middlesex*, upon pain of forfeiting the sum of 100*l.* for every such offence, one moiety thereof to the said receiver, to be applied to the purposes of this act, and the other moiety thereof, with full costs of suit, to the person who shall sue for the same in any of H. M.'s courts of record at *Westminster*, by action of debt, bill, plaint, or information, wherein no essoign, privilege, wager of law, or more than one imparlance shall be allowed: provided that nothing in this act contained shall be construed to extend to any fees taken at any general or quarter sessions of the peace, or at any meeting of justices for the purpose of licensing alehouses, or to any fees taken at the said public office in *Bow Street*, or to any fees taken by the vestry clerk of any parish for the purpose of enforcing the payment of any taxes or assessments arising within the same parish, or for the purpose of hearing and determining any offence cognizable before justices of the peace, by virtue of any statute made and provided for the special regulation or government of such parish, 3 G. 4. c. 55. s. 7.

10. In some conspicuous part of each of the said police-offices, and also of the said public-office in *Bow Street*, there shall be affixed a table of the fees which may legally be taken at such offices respectively, under 26 G. 2. c. 14. [Stat. Dig. tit. JUSTICES OF PEACE, pl. 95.], intituled, *An Act for the settling and ascertaining the fees to be taken by clerks to justices of the peace*; and under 27 G. 2. c. 16. s. 4. [Stat. Dig. tit. JUSTICES OF PEACE, pl. 100.], intituled, *An Act, [amongst other things,] for confirming the tables of fees to be taken by the clerks to the justices of the peace for the county of Middlesex*; and it shall be lawful for any justice at such offices respectively to refuse to do any act for which any fee shall be demandable, unless such fee shall be first paid; and that if any such act shall be done, and the fee due thereon shall not be paid, it shall be lawful for any justice of the peace to summon the person from whom such fee shall be due, and to make order for payment of the same, with the costs of the proceedings, and in default of payment to levy the same, with the costs of the distress, by warrant under his hand and seal, 3 G. 4. c. 55. s. 8.

11. The justices so appointed to attend at the said police-offices, and their clerks respectively, shall in books to be provided for that purpose keep a full, true, and particular account of all fees taken and received at each of the said offices, together with all penalties and forfeitures which shall have been recovered, levied, or received in pursuance of any adjudication, conviction, or order had or made at any of the said offices, or any process or warrant issuing from the same; to which books of account the said receiver shall at all times have free access; and the said justices shall, once in every quarter of a year, deliver unto such receiver such account, verified upon oath by such justice or clerk, or such other person as shall be employed in keeping such accounts respectively, or any part thereof, before some justice of the peace for the said county of *Middlesex*, or county of *Surrey*, and shall pay the amount of all such fees unto such receiver, to be applied in manner hereinbefore [s. 6.] mentioned, 3 G. 4. c. 55. s. 9.

12. All such penalties and forfeitures, and shares of penalties and forfeitures, as are by any act now in force, or shall be by any future act (unless it shall contain express words to the contrary) limited and made

payable to H. M., or to any description of persons other than the informer or informers who shall sue for the same, or any party aggrieved, and which shall be recoverable in a summary way before a justice or justices of the peace, and which shall be recovered or adjudged before any justice or justices at either of the said eight police-offices, or at the said public-office in *Bow Street*, shall be accounted for and paid into the hands of the said receiver, by the justice, clerk, constable, officer, or other person who shall levy or receive the same, to be applied by such receiver in manner herein-before mentioned, 3 G. 4. c. 55. s. 10.

13. If the justices appointed as aforesaid, or any other person having received any such fees at any of the said police-offices, shall neglect to account for and pay the same in manner aforesaid; or if any justice, justice's clerk, constable, officer, or other person, who shall levy or receive such penalties or forfeitures, or shares of penalties or forfeitures, shall neglect to pay the same into the hands of such receiver; or if any person, having resigned any such office of receiver, or having been removed from the same, shall neglect, within 21 days after notice for that purpose, to account for and pay into the hands of the succeeding receiver all such sums of money as shall remain in his hands applicable to the purposes of this act; it shall be lawful for such receiver for the time being, in his own proper name only, or by his name and description of office, to sue for and recover the same, with double costs of suit, in any of H. M.'s courts of record at *Westminster*, by action of debt, in which action it shall be sufficient for such receiver to declare as for money had and received to the use of such receiver for the purposes of this act; and the defendant in such action may, at the discretion of any judge of such court, be held to special bail, in such competent sum as such judge shall order and direct; and in any such action the court in which such action shall be brought may, if such court shall think proper, at the instance of either of the parties, refer the account in dispute, in a summary manner, to be audited by any officer of the court or other fit person at their discretion, who may examine both plaintiff and defendant upon oath, (which oath the said referee shall have power to administer); and upon the report of such referee, unless either of the parties shall show good cause to the contrary, such court may make a rule, either for the payment of such sum as upon such report shall appear to be due, or for staying the proceedings in such cause, and upon such terms and conditions as to the same court shall appear reasonable and just; or may order judgment to be entered up by confession, for such sum as upon such report shall appear to be due, 3 G. 4. c. 55. s. 11.

14. In case of the death of any such receiver, or of any person having resigned, or been removed from such office, or of any of the other persons whom the said receiver for the time being is authorized to sue as aforesaid, in every such case, the receiver for the time being may, in his own proper name only, or by his name and description of office, sue for and recover such sum of money as shall have been remaining in the hands of such deceased receiver or other person, applicable to the purposes of this act, or the executors or administrators of such person deceased; in which action it shall be sufficient for the plaintiff to declare that the deceased was indebted to the plaintiff for money had and received to his use for the purposes of this act, or that the deceased died possessed of money had and received for the purposes of this act, whereby an action accrued to the plaintiff to demand and have the same of such executors or administrators; and the like action shall and may be brought against any executors or administrators of executors or administrators; in all which actions the defendant may plead in like manner, and avail themselves of the like matters in their defence, as in any action founded upon simple contracts of the original testator or intestate; and in all actions to be brought by such receiver by virtue of this act, proof of the plaintiff's acting in the execution of such office shall be sufficient evidence of his holding the same, unless the contrary shall be shown in evidence by the defendant in such action, 3 G. 4. c. 55. s. 12.

15. Such receiver shall, every three months, and oftener if required, deliver to the commissioners of H. M.'s treasury of the U. K. of G. B. and Ire., for the time being, a full and particular account of all monies by him received and paid as aforesaid, with vouchers for the same; which account shall be verified upon oath, before some justice or baron of one of H. M.'s courts of record at *Westminster*; and such receiver, for his care and pains in the execution of such office, shall and may retain to his own use, out of the monies so received by him as aforesaid, a sum not exceeding 400*l.*, 3 G. 4. c. 55. s. 13.

16. No justice appointed as aforesaid shall, during his continuance in such appointment, be capable of being elected, or of sitting as a member of the house of commons; and no justice, receiver, surveyor, or constable, appointed by virtue of this act, shall, during the time that he shall continue in his office respectively, or within 6 months after he shall have quitted the same, be capable of giving his vote for the election of a member to serve in parliament for the counties of *Middlesex* or *Surrey*, or for the city and liberty of *Westminster*, or the borough of *Southwark* respectively; nor shall by word, message, writing, or in any

other manner, endeavour to persuade any elector to give or dissuade any elector from giving his vote for the choice of any person to be a member to serve in parliament for the said counties, city, or borough; and every such justice, receiver, surveyor, or constable, offending therein, shall forfeit the sum of 100*l.*; one moiety thereof to the informer, and the other moiety thereof to the use of the poor of the parish or place where such offence shall be committed; to be recovered by any person that shall sue for the same, by action of debt, bill, plaint, or information, in any of H. M.'s courts of record at *Westminster*, in which no essoign, protection, privilege, wager of law, or more than one imparlance shall be allowed; such action to be brought within the space of one year after such offence committed: provided nevertheless, that nothing in this act shall extend to subject any such justice, receiver, surveyor, or constable, to any penalty for any act done by him at or concerning any of the said elections, in the discharge of his duty in the said respective capacities, 3 G. 4. c. 55. s. 14.

17. Where by any law now in being, or hereafter to be made, any act is directed or authorized to be done by any justice or justices of the peace residing in or near or next the parish or place where any offence or other matter cognizable before them shall be committed or shall arise, the same jurisdiction shall and may be exercised by a justice or justices acting in such of the said police-offices as may be situated next or near such parish or place, 3 G. 4. c. 55. s. 15.

18. It shall be lawful for H. M., by and with the advice of his privy council, to make such alterations in the places where any of the said police-offices shall be situated, or make such alterations in the hours of attendance therein, and to make all such other regulations to be observed in conducting the same, as he from time to time shall think proper, 3 G. 4. c. 55. s. 16.

19. Whereas divers fairs are held within the city and vicinity of *London*, by charter or prescription, and other fairs without any lawful authority, which lead to scenes of riot, disorder, debauchery, and crime, and it is expedient to regulate such fairs as are legally held, and to suppress such as have no lawful origin; be it therefore enacted, That all fairs held within 10 miles of *Temple Bar*, all business and amusements of all kinds, shall cease at the hour of 11 in the evening, and not recommence earlier than the hour of 6 in the morning; and that if any house, shop, room, booth, standing, tent, caravan, waggon, or other place, shall, during the continuance of any such fair as aforesaid, be open within the hours herein-before prohibited, for any purpose of business or amusement in the place where such fair shall be held, or within 500 yards thereof, then it shall be lawful for any constable or other peace-officer, within his jurisdiction, to take into custody the master or mistress, or other person having the care, government, or management of any such house, shop, room, booth, standing, tent, caravan, waggon, or other place, and also every person being therein, and who shall not quit the same forthwith upon being bidden by any such constable or other peace-officer so to do, and to convey every such person so taken, as soon as conveniently may be, before a justice of the peace, who shall proceed to hear the complaint in a summary way; and every person convicted before any such justice, as a master, mistress, or person having the care, government, or management of any such house, shop, room, booth, standing, tent, caravan, waggon, or other place, shall forfeit and pay the sum of 5*l.*; and every person so convicted as having been therein, and not quitted the same forthwith upon being bidden by a constable or other peace-officer so to do, shall forfeit and pay the sum of 40*s.*; and if the party so convicted shall not immediately pay the penalty, the justice shall commit him or her to hard labour in the house of correction for any space of time not exceeding three months, nor less than six days, unless the penalty shall be sooner paid; and if there shall appear to any two justices within their respective jurisdictions, reason to believe that any fair usually held within the distance aforesaid, has been held without charter, prescription, or other lawful authority, or that any fair lawfully held within the said distance has been usually held for a longer period than is warranted by charter, prescription, or other lawful authority, it shall be competent to them to summon the owner or occupier of the ground upon which such fair is usually held, to appear before such justices as may be present at some petty sessions, to be held at the time and place to be specified in the summons, not less than eight days after the service of the summons, to show his right and title to hold such fair, or to hold such fair beyond a given period, (as the case may be); and if such owner or occupier shall not attend in pursuance of such summons, or shall not show to the justices present at such petty sessions sufficient cause to believe that such fair has been held by lawful right and title, for the whole period during which the same has been usually held, such justices shall declare, in writing, such fair to be unlawful, either altogether or beyond a stated period (as the case may be), and shall give notice of such their declaration, by affixing copies thereof on the parish church, and on the most public places in and near the ground where such fair has been usually held; and if after such notices shall have been affixed for the space of six days any attempt

shall be made to hold such fair, if it shall be declared altogether unlawful, or to hold it beyond the prescribed period, if it shall be declared unlawful beyond a certain period, any justice of the peace within his jurisdiction may, by his warrant, direct any constable or other peace-officer to remove every booth, standing, and tent, and every carriage, of whatsoever kind, conveyed to or being upon such ground for the purpose of holding or continuing such fair, and to take into custody every person erecting, pitching, or fixing, or assisting to erect, pitch, or fix, any such booth, standing, or tent, and every person driving, accompanying, or conveyed in every such carriage, and every person resorting to such ground with any exhibitions, shows, swings, roundabouts, whirligigs, or other instruments of gambling or amusement, and to carry every person so taken before the justice granting such warrant, or before some other justice, who shall proceed to hear the complaint in a summary way; and every person convicted before any such justice of any of the offences last aforesaid, shall forfeit and pay any sum not exceeding 10*l.*, nor less than 20*s.*; and if the party so convicted shall not immediately pay the penalty, the justice shall commit him or her to hard labour in the house of correction, for any space of time not exceeding three months, nor less than six days, unless the penalty shall be sooner paid: provided nevertheless, that if the owner or occupier of the ground whereon any such fair has been usually held, shall, when summoned before the justices at their petty sessions as aforesaid, enter into a recognizance in the penal sum of 200*l.* (which recognizance such justices are hereby authorized to take), with condition to appear in the court of K. B. on the first day of the then next term, and to answer to any information in the nature of a *quo warranto*, which H. M.'s attorney or solicitor-general may exhibit against such owner or occupier, touching the right and title to such fair, and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court, which costs the said court is hereby authorized to award, then notwithstanding the justices shall declare such fair to be unlawful, they shall forbear from giving notice of such their declaration, and from taking any further measures thereon, until judgment shall be given by the said court against the right and title to such fair; and the justices taking such recognizance shall forthwith transmit the same to one of H. M.'s principal secretaries of state, to the end that the same may be filed in the said court, and such further directions may be given thereon as to such secretary of state may seem fit and necessary, 3 G. 4. c. 55. s. 17.

20. Whereas it hath become a practice of late to open shops or rooms for the sale or under the pretence of selling ready-made coffee, tea, and other liquors, and to keep such shops or rooms open during the whole or the greatest part of the night, thereby affording shelter and accommodation to thieves, prostitutes, and other disorderly persons, and tending greatly to the encouragement of robberies, and to the concealment of stolen property; be it further enacted, That no shop, room, or place, for the purpose aforesaid, within the city of London or the liberties thereof, within the limits of the weekly bills of mortality, or within any of the parishes herein-before [s. 7. pl. 9.] mentioned, shall be kept open after the hour of 11 at night during any part of the year, nor opened before the hour of four in the morning between *Lady Day* and *Michaelmas*, or before six in the morning between *Michaelmas* and *Lady Day*; and if any such shop, room, or place, shall be open within the hours herein-before prohibited, or being shut up, if any person shall during those hours be found therein, except the persons actually dwelling there, or having lawful excuse for being there, then the master, mistress, waiter, or other person having the care, government, or management of such shop, room, or place, whether he or she be the real owner or keeper thereof or not, shall forfeit and pay any sum not exceeding 10*l.*, nor less than 20*s.*, upon conviction of any such offence before any justice of the peace, by confession or upon the oath of one or more credible witness or witnesses; and if the party so convicted shall not immediately pay the said penalty, the justice shall commit him or her to hard labour in the house of correction, for any space of time not exceeding three months, nor less than six days, unless the said penalty shall be sooner paid; and the said penalty, when paid, shall be distributed, one moiety to the informer, and the other to the chamberlain of the city of London, if the offence be committed in the said city, and if out of the said city, then to the said receiver for the purposes of this act: provided, that nothing herein contained shall apply to or affect any house duly licensed for the sale of wines and spirituous liquors; and that no such conviction shall exempt the owner, keeper, or manager of any such shop, room, or place, from any penalty or penal consequence whereto he or she may be liable for keeping a disorderly house, 3 G. 4. c. 55. s. 18.

21. If any person shall, within the city of London and liberties thereof, or within the limits and parishes aforesaid, blow any horn, or use any other noisy instrument for the purpose of hawking, selling, or distributing any article whatsoever, it shall be lawful for any constable, head-

borough, patrol, watchman, or other person, to apprehend every person so offending, and convey him before any justice of the peace, who shall proceed to examine upon oath any witnesses appearing to give evidence touching such offence; and if the party accused shall be convicted of such offence, then and in every such case he shall for every such offence forfeit and pay any sum not exceeding 40*s.*, nor less than 10*s.*, to be applied in such manner as such justice shall direct; and in case the offender shall not upon conviction forthwith pay the penalty, such justice is hereby required to commit such offender to the house of correction, there to be kept to hard labour for any time not exceeding 10 days, nor less than three, unless the penalty shall be sooner paid, 3 G. 4. c. 55. s. 19.

22. Every conviction for the offences aforesaid shall be in the following form of words, or in some other form of words to the like effect:

'Be it remembered, that on the — day of — in the year of our Lord — A. B. is brought before me [or, having been duly summoned, has neglected to appear before me], C. D. esquire, one of H. M.'s justices of the peace in and for the county of — [or city, or liberty, or place, as the case may be], and is charged before me the said justice with having [here describe the offence], and it appearing to me the said justice, upon the confession of him the said A. B. [or, upon the oath of a credible witness, as the case may be], that the said A. B. is guilty of the said offence; I do therefore adjudge the said A. B. to forfeit and pay the sum of —; and in default of payment, to be imprisoned in the house of correction at — and there kept to hard labour for the term of — unless the said penalty shall be sooner paid; and I do hereby direct, that the said penalty shall, when paid, be applied to [here direct the mode]. Given under my hand and seal, the day and year first above written.'

3 G. 4. c. 55. s. 20.

23. Whereas ill-disposed and suspected persons and reputed thieves frequent the parks, fields, streets, highways, and places adjacent, and divers places of public resort, and the avenues leading thereto, within the city of London and the liberties thereof, the limits of the weekly bills of mortality, and the said parishes of *Saint Mary-le-bone*, *Paddington*, *Saint Pancras*, *Kensington*, and *Saint Luke Chelsea*, and also the said river *Thames*, and the docks and creeks, quays and warehouses adjacent thereto, and the streets, highways, and avenues leading to the said river, docks, creeks, quays, and warehouses, with intent to commit felony on the persons or property of H. M.'s subjects; and although their evil purposes are sufficiently manifest, the power of H. M.'s justices of the peace, to demand of them sureties for their good behaviour, hath not been of sufficient effect to prevent them from carrying their evil purposes into execution; be it further enacted, That it shall be lawful for any constable, headborough, patrol, watchman, or other person, to apprehend every such suspected person or reputed thief, and convey him or her before any justice of the peace; and if it shall appear before the said justice, upon the oath of one credible witness, that such person is a person of evil fame and a reputed thief, and such person shall not be able to give a satisfactory account of himself or herself, and of his or her way of living, and it shall also appear to the satisfaction of the said justice, that there is just ground to believe that such person was in or on such park, field, street, highway, river, dock, creek, quay, warehouse, avenue, or other place as aforesaid, with such intent as aforesaid, every such person shall be deemed a rogue and vagabond, within the intent and meaning of an act [5 G. 4. c. 83. See VAGRANT.] made in the present session, for consolidating and amending the laws relating to rogues, vagabonds, and other idle and disorderly persons, 3 G. 4. c. 55. s. 21.

24. Every such conviction shall be in the following form of words, or in some other form of words to the like effect:

'Be it remembered, that on the — day of — in the year of our Lord — A. B. is brought before me C. D. esquire, one of H. M.'s justices of the peace in and for the county of — [or city, liberty, or place, as the case may be], and charged before me the said justice with being a rogue and vagabond, he the said A. B. having been apprehended on the — day of — in a certain — called — in the parish of — in the said county [or city, et cetera, as the case may be]; and it appearing to me the said justice, on the oath of — a credible witness, that the said A. B. is a person of evil fame and a reputed thief, and the said A. B. on his examination before me not being able to give a satisfactory account of himself, or of his way of living, and it also appearing to the satisfaction of me the said justice, that there is just ground to believe that the said A. B. was in such — as aforesaid with intent to commit felony on the person or property of H. M.'s subjects there being; I do therefore, in pursuance of an act passed in the third year of the reign of King George the Fourth, intituled [here insert the title of this act] convict him the said A. B. of the said offence, and adjudge him to be a rogue and vagabond, within the intent and meaning of the statute made in the same year, intituled *An Act for consolidating into one act, and amending the laws relating to idle and disorderly persons, rogues and vagabonds, incorrigible rogues and other vagrants, in Eng.*; and that he, for his said offence, be committed to the house of correction at — until the next general [or quarter, as the case may be] sessions of the peace to be holden for the said county [city, or place, as the case may be] then and there to be

Further dealt with according to law. [If the party be committed for a less time than until the sessions, then say, there to remain for the space of —.] Given under my hand and seal, the day and year first above written.

3 G. 4. c. 55. s. 22. [See ante s. 20. pl. 22.]

25. No conviction under this act, for any of the offences aforesaid, shall be quashed or set aside or adjudged void or insufficient for want of form; nor shall the same be removed by *certiorari* into H. M.'s court of K. B.; but that in all cases where the penalty shall exceed the sum of 5*l.*, or one month's imprisonment, if any person shall think himself aggrieved by such conviction, such person may appeal to the justices of the peace at the next general or quarter sessions of the peace to be held for the county or city wherein the cause of complaint shall have arisen, such person at the time of his conviction entering into a recognizance with two sufficient sureties, conditioned personally to appear at the said sessions to try such appeal, and to abide the further judgment of the justices at such sessions assembled; and in case any such conviction of a reputed thief shall be affirmed at such sessions, the said justices may adjudge the offender to be a rogue and vagabond, and proceed against him or her in the same manner as they might have done if such rogue and vagabond had been committed to the house of correction until such general or quarter sessions; and in case such offender shall not appear pursuant to the said recognizance, the person so convicted by such justice shall be deemed an incorrigible rogue, within the intent and meaning of the said last-recited act; and the justices at such sessions, or any two of them, shall issue their warrant to apprehend and commit the person so deemed an incorrigible rogue to some house of correction or common gaol within their jurisdiction, there to remain until the next general or quarter sessions for the said county, city, or liberty, as the case may be, then and there to be further dealt with according to law, 3 G. 4. c. 55. s. 23.

26. Whereas by 21 G. 3. c. 67. [Stat. Dig. tit. LONDON (Cattle), pl. 7.], intituled, *An Act to prevent the mischiefs that arise from driving cattle within the cities of London and Westminster, and liberties thereof, and bills of mortality*, a penalty not exceeding 20*s.* nor less than 5*s.* is imposed on every person, not being hired or employed to drive cattle, who pelts with stones or brickbats, or by any other means drives or hunts away, or sets any dog at any ox, heifer, cow, steer, or other cattle, without the consent of the owner of the same, or his servant: and whereas the said penalty has been found insufficient to deter evil-disposed persons from the practice of hunting bullocks; be it therefore further enacted, That if any person shall pelt, drive, or hunt, or set any dog at any ox, heifer, cow, or steer, contrary to the said last-recited act, such person shall, upon being convicted thereof according to the same act, forfeit and pay, on the first conviction, any sum not exceeding 40*s.* nor less than 20*s.*, and on the second and every future conviction, any sum not exceeding 5*l.* nor less than 50*s.*, to the person who shall prosecute such offender to conviction, and in default of payment shall be committed to the house of correction, there to be kept to hard labour for any time not exceeding two months on the first conviction, nor five months on the second and every future conviction, in the manner prescribed by the said last-recited act, 3 G. 4. c. 55. s. 24.

27. Whereas it is expedient that the officers of the said public-office in *Bow Street*, and the horse and foot-patrol acting under the orders of the chief magistrate of that office, shall be sworn in as constables, and be empowered to act within the said several counties of *Middlesex, Surrey, Essex, and Kent*; be it therefore further enacted, That it shall be lawful for the said chief magistrate to administer to such persons respectively an oath duly to execute the office of constable within the counties aforesaid; and each of such persons, being sworn, shall have power to act as a constable for the preservation of the peace, and for the security of property against felonious and other unlawful modes of obtaining the same, within any and every of the said several counties, and for apprehending offenders against the peace, as well by night as by day; and shall have all such powers and authorities, privileges and advantages, as any constable duly appointed now has or hereafter may have within his constablewick: provided, that when any such constable shall be dismissed from his said employment, or cease to belong to the said public-office in *Bow Street*, all powers and authorities, allowances, emoluments, privileges, and advantages, vested in the persons so dismissed or ceasing to belong to the said office, shall immediately cease and determine, 3 G. 4. c. 55. s. 25.

28. And whereas by 3 G. 4. c. 55. s. 25. pl. 27., the chief magistrate of the public-office in *Bow Street* is empowered to administer to the officers of the said office, and to the horse and foot-patrol acting under the orders of the said chief magistrate, an oath duly to execute the office of constable within the counties of *Middlesex, Surrey, Essex, and Kent*; and each of the persons so sworn is empowered to act as a constable in the manner therein mentioned, and it is expedient to extend the powers of the persons so sworn as herein-after mentioned; be it therefore further enacted, That it shall and may be lawful for the chief

magistrate of the said public-office in *Bow Street* to administer to such persons respectively an oath duly to execute the office of a constable within the counties of *Middlesex, Surrey, Essex, and Kent*, and within the royal palaces of H. M., and 10 miles thereof; and that each of such persons being so sworn, and each of the officers of the said public-office, and each of the horse and foot-patrol, already sworn under the said recited act shall, from and after the passing of this act [20th May 1825], have power to act as a constable for the said counties, and also within the said royal palaces, and 10 miles thereof, and shall have all such powers and authorities, privileges and advantages, as any constable duly appointed now has or hereafter may have within his constablewick, 6 G. 4. c. 21. s. 2.

29. For the purpose of ensuring competency and fidelity in the watchmen and patrols employed by the aldermen and common council of the city of *London*, and the vestries and other parochial and local authorities within the limits of the weekly bills of mortality and the parishes herein-before [s. 7. pl. 9.] mentioned, when any case of incompetency, negligence, misconduct, or delinquency shall appear to any two justices of the peace acting within the said city or limits and parishes, against any such watchman or patrol, it shall be lawful for the said two justices, by writing under their hands and seals, to declare the same, and to pronounce the man so found incompetent or guilty of such negligence, misconduct, or delinquency, to be either suspended for a limited time, or absolutely dismissed from his office, as they shall think proper, and to give notice of such suspension or dismissal to the aldermen and common council of the ward, if in the city of *London*, or to the vestry or other authority by whom such watchman or patrol was appointed, if elsewhere; and every such watchman or patrol shall be incapable of being re-appointed, either for the same or any other ward, parish, or place, while such suspension or dismissal shall remain in force; and if no watchman or patrol shall be appointed by the alderman and common council of the ward, or by the vestry or other proper authority, at their next meeting after such notice shall be delivered to the deputy of the ward, or to the clerk or secretary of such vestry, or other proper authority, or left at the house or office where their business is usually transacted, the said justices shall appoint a successor, who shall exercise and enjoy the said duties and powers, and receive the same pay, emolument, and allowances, as if regularly appointed, 3 G. 4. c. 55. s. 26.

30. No man shall hereafter be appointed within the limits and parishes aforesaid, by any authority whatsoever, to be a watchman or patrol, who shall be above the age of 40 years, unless he shall have been previously and up to the time of such appointment employed in the said horse or foot-patrol, 3 G. 4. c. 55. s. 27.

31. It shall be lawful for the aldermen and common council of the respective wards in the city of *London* and liberties thereof, to make such allowance to superannuated watchmen, beadles, or patrols, as they shall think proper, to be paid out of the watch-rate to be raised in such wards respectively, 3 G. 4. c. 55. s. 28.

32. For the better administration of the police within the limits and parishes aforesaid, it shall be lawful for the constable or headborough attending at any watchhouse within those limits and parishes, between the hours of eight in the afternoon and six in the forenoon, to take bail by recognizance, without any fee or reward, from any person who shall be brought into his custody within the said hours without the warrant of a justice, charged with any petty misdemeanor, if such constable shall deem it prudent to take such bail for the appearance of such person before the justices at the said public-office in *Bow Street*, or at one of the said police-offices, to be specified in the recognizance, for examination, at the hour of ten in the forenoon next after such recognizance shall be taken, unless that hour shall fall on a *Sunday*, or on one of the days of absence allowed by this act, and in that case at the like hour on the succeeding day; and that every recognizance so to be taken shall be of equal obligation on the parties entering into the same, and liable to the same proceedings for the estreating thereof, as if the same had been taken before one of H. M.'s justices of the peace; and the constable or headborough shall enter in a book to be kept for that purpose in every watchhouse, the names, residence, and occupation of the party and his sureties entering into such recognizance, together with the condition thereof, and the sums respectively acknowledged, and shall lay the same before such justice as shall be present at the time and place when and where the party is required to appear; and if the party does not appear at the time and place required, or within one hour after, the justice shall cause a record of the recognizance to be drawn up, to be signed by the constable or headborough, and shall return the same to the next general or quarter sessions of the peace, with a certificate at the back thereof, signed by such justice, that the party has not complied with the obligation therein contained, and the clerk of the peace shall make the like estreats and schedules of every such recognizance as of recognizances forfeited in the sessions of the peace; and if the party not appearing shall apply, by any person on his behalf, to postpone the hearing of the charge against him, and the jus-

tice shall think fit to consent thereto, the justice shall be at liberty to enlarge the recognizance to such further time as he shall appoint; and when the matter shall be heard and determined, either by the dismissal of the complaint, or by binding the party over to answer the matter thereof at the sessions, or otherwise, the recognizance for the party's appearance before the justices shall be discharged without fee or reward, 3 G. 4. c. 55. s. 29.

33. If any person shall wilfully destroy or damage, or endeavour to destroy or damage, or be wilfully concerned in destroying or damaging, or endeavouring to destroy or damage, any boat belonging to or hired or employed by or by the authority of the justices appointed to attend at the *Thames* police-office, or any part of the sails, oars, or other tackle, stores, goods, or furniture contained in or belonging to any such boat, every person so offending shall forfeit and pay for every boat so destroyed or damaged, or attempted to be destroyed or damaged, or of which any of the tackle or other contents shall have been so destroyed or damaged, or attempted to be destroyed or damaged, any sum not exceeding 30*l.*, or shall suffer imprisonment for any time not exceeding three months, over and above any such damages as may be recoverable by action at law against any such offender, 3 G. 4. c. 55. s. 30.

34. It shall be lawful for every such *Thames* police-surveyor (subject to the orders of the said justices appointed to attend the *Thames* police-office), having just cause to suspect that any felony has been or is about to be committed in or on board of any ship, hoy, barge, lighter, boat, or other vessel, lying or being in the said river, docks, or creeks, to enter at all times, as well by night as by day, into and upon every such ship, hoy, barge, lighter, boat, or other vessel, and therein to take all necessary measures for the effectual prevention or detection of all felonies which he has just cause to suspect to have been or to be about to be committed in and upon the said river, docks, or creeks, and to apprehend and detain all persons suspected of being concerned in such felonies, and also all property so suspected to be stolen, and the same to produce before some justice, to be dealt with according to law, 3 G. 4. c. 55. s. 31.

35. It shall be lawful for every such *Thames* police-surveyor, at any time between sun-rising and sun-setting, to enter any ship or vessel (except H. M.'s ships) in the said river, docks and creeks, and to search the same for unlawful quantities of gunpowder, and also to exercise the same powers of seizing, removing to proper places, and detaining all such unlawful quantities of gunpowder found on board any such ship or vessel, and the barrels or other packages in which such gunpowder shall be, as are given to persons searching for unlawful quantities of gunpowder under a warrant of a justice, by virtue of 12 G. 3. c. 61. [*Stat. Dig. tit. GUNPOWDER, pl. 16.*], intituled, *An Act to regulate the making, keeping, and carriage of gunpowder within G. B., and to repeal the laws heretofore made for any of those purposes*, 3 G. 4. c. 55. s. 32.

36. It shall be lawful for any *Thames* police-constable or surveyor, or any other peace-officer within his jurisdiction, to stop, search, and detain in some place of safety, any boat, craft, or vessel which there shall be reason to suspect of having therein any of H. M.'s naval stores, or any ropes, cordage, tackle, apparel, furniture, stores, materials, or any part of any cargo or lading, or any lead, iron, copper, brass, bell-metal, pewter, solder, or other article, stolen, or unlawfully procured; and also to apprehend, search, and detain any person who may be reasonably suspected of having or conveying any such articles in such boat, craft, or vessel, or on land, and to convey every such person so apprehended (as soon as conveniently may be) before some justice of the peace; and if such person shall not give an account to the satisfaction of such justice how he or she came by the same, then the person so apprehended shall be deemed and adjudged guilty of a misdemeanor, and shall suffer as herein-after mentioned; and such boat, craft, or vessel, with her tackle, apparel, furniture, and loading, shall, upon such conviction, be forfeited and disposed of as is herein-after directed, 3 G. 4. c. 55. s. 33.

37. If on information given on oath it shall appear to any justice that there is reasonable cause for suspecting that any such articles as aforesaid, after having been so stolen or unlawfully obtained, are concealed or otherwise lodged in any dwelling-house, warehouse, yard, garden, or any other place, it shall be lawful for such justice, by special warrant under his hand and seal, directed to any *Thames* police-constable or surveyor as aforesaid, or other constable within his jurisdiction, to cause every such place to be searched at any time of the day, or by night, if power for that purpose be especially given in and by such warrant; and the said justice, if it shall appear to him necessary, may moreover empower such constable or surveyor, with any such assistance as to the said justice may appear, or by such constable or surveyor may be found necessary (such constable or surveyor having previously made known such his authority), to use force for the effecting of such entry, whether by breaking open doors or otherwise; and if upon search thereupon made any such suspected article shall be found, then to convey the same forthwith to and before a justice, or to guard the same on the spot while the

offenders are taken before a justice, or otherwise dispose thereof in some place of safety, subject to the orders of a justice in manner above mentioned; and moreover to apprehend and convey before the said justice the person in whose house, lodging, or other place the same shall so have been found, as also every other person found in such house, lodging, or place, who shall appear to have been privy to the depositing of such article in such place, knowing or having reasonable cause to suspect the same to have been stolen or otherwise unlawfully obtained; and if such persons respectively shall not immediately, or within some reasonable time to be assigned by the justice, make it appear to the satisfaction of the justice by what lawful means such articles came to be deposited or situated in such place as aforesaid, without any default on the part of such persons respectively, then the person in whose house, lodging, or other place any such suspected article was found, and also every other person so appearing to have been privy to the depositing thereof, knowing or having cause to suspect the same to have been stolen, or otherwise unlawfully obtained, shall be deemed and adjudged guilty of a misdemeanor, and shall suffer as herein-after mentioned, 3 G. 4. c. 55. s. 34.

38. Provided, that if any person, on being so produced before any justice to give an account of any articles seized and detained, in any of the cases aforesaid, shall declare himself or herself to have bought, received, or otherwise obtained such articles of some other person, such justice is hereby authorized and required to examine every such other person, and also every other prior purchaser or pretended purchaser; and if upon the whole evidence it shall appear to such justice, that the party suspected, or the party upon whom such articles were found, or the person so produced, or such prior purchaser or pretended purchaser, or any of them, at the time of his or her receiving such articles into his or her possession, did believe or had reasonable cause to believe that such articles, or any part thereof, were at any time and by any person unlawfully come by or obtained, it shall be lawful for such justice to adjudge such party to be guilty of a misdemeanor, and the party so convicted shall thereupon suffer as herein-after mentioned, 3 G. 4. c. 55. s. 35.

39. For the more effectual prevention of accidents by fire and other mischiefs upon the said river, be it further enacted, That if any master or commander, or other officer of any ship or vessel (except H. M.'s ships,) shall, while such ship or vessel shall lie or be in the said river between *Westminster Bridge* and *Blackwall*, keep any gun on board such ship or vessel shotted or loaded with ball, or cause or permit to be fired or discharged any gun on board such ship or vessel, before sun-rising or after sun-setting, such master, commander, or other officer shall, for every such gun so kept shotted or loaded, forfeit the sum of 5*s.*; and for every gun so fired or discharged, the sum of 10*s.*; and if any master, commander, or other officer of any such ship or vessel, or any other person on board of the same, or any person on board of any barge, lighter, boat, or other craft or vessel, shall, while such ship, barge, lighter, boat, craft, or vessel shall lie or be in the said river between *Westminster Bridge* and *Blackwall*, heat or melt, or cause or permit to be heated or melted by fire, logger-heat shot, or any other means, on board any ship, barge, lighter, boat, craft, or vessel whatever, any pitch, tar, rosin, grease, tallow, oil, or other combustible matter, every person so offending shall, for every such offence, forfeit any sum not exceeding 5*l.*; and any one of the justices appointed to attend at the *Thames* police-office, or any other justice within his jurisdiction, is hereby authorized and required, upon any information exhibited or complaint made in that behalf, within 10 days next after any such offence shall have been committed, to summon the party accused, and also the witnesses on either side, or after oath made of the commission of any of the facts above mentioned by one credible witness, to issue a warrant to apprehend the party accused, and upon the party's appearance or contempt in not appearing (upon the proof of notice given), such justice shall proceed to the examination of the witness or witnesses on oath, and upon due proof thereof, either by the voluntary confession of the party, or by the oath of one credible witness, to give judgment or sentence; and in case the party accused shall be convicted of such offence, it shall be lawful for such justice to commit such offender to prison, there to remain for any time not exceeding the space of two months, unless the penalty shall be sooner paid; and if any person shall find himself aggrieved by the judgment of any such justice, he may appeal to the next court of general quarter sessions for the county or city where such offence shall have been committed, on giving immediate notice of such appeal, and finding sufficient security, to the satisfaction of such justice, for prosecuting such appeal with effect, and for abiding the determination of the court therein; and the said court are hereby empowered to summon and examine witnesses upon oath, and finally to hear and determine the matter, and in case the judgment shall be affirmed, to award the person appealing to pay such costs occasioned by such appeal as shall seem meet; and one moiety of all money recovered on account of every such penalty shall be distributed, at the discretion of

the justice making the conviction, to such person as he shall judge to have been instrumental in detecting and prosecuting the offender, 3 G. 4. c. 55. s. 36.

40. Every person who for the purpose of protecting or preventing any goods, wares, merchandize, or other articles whatsoever from being seized, on suspicion of their being stolen or otherwise unlawfully obtained, or of preventing the same from being produced or made to serve as evidence of or concerning any felony or misdemeanor, shall frame or cause to be framed, or be anywise concerned in framing or causing to be framed, any bill of parcels containing any false statement in regard to the name or abode of any alleged vendor, the quantity or quality of any goods, the place from whence, or the conveyance by which the same were furnished, the price agreed upon or charged for the same, or any other particular, knowing such statement to be false, or who shall fraudulently produce such bill of parcels knowing the same to have been fraudulently framed, shall be adjudged guilty of a misdemeanor, and shall suffer as herein-after mentioned; and may moreover, at the discretion of any justice in whose jurisdiction such offence shall be committed, be published and advertised as a fabricator of false bills of parcels, or as a convicted or reputed receiver of goods stolen or otherwise unlawfully obtained as the case may be, 3 G. 4. c. 55. s. 37.

41. Whereas, for the purpose of increasing the facility of depredation it hath been a common practice among persons concerned in the landing and warehousing of merchandize from on board ships and vessels in the said river, wilfully to injure and promote the opening and breaking of casks, bags, and other packages, and the spilling of their contents; for remedy thereof, be it further enacted, That if any person employed in the loading, landing, or warehousing of any goods, or any other person, shall wilfully or through culpable negligence or carelessness, cause or suffer, or be concerned in causing or suffering to be broken, bruised, pierced, started, cut, torn, or otherwise injured, any cask, box, chest, bag, or other package, containing or being designed and prepared for containing any goods while on board of any barge, lighter, or other craft lying or being in the said river, or any dock, creek, quay, wharf, or landing-place adjacent to the same, or in or in the way to or from any warehouse to or from which such package shall have been removed, shall be removing, or about to be removed, with intent that the contents of such package, or any part thereof, may be spilled or dropped from such package, every person so offending shall for every such offence be deemed and adjudged guilty of misdemeanor, and shall suffer as herein-after mentioned, 3 G. 4. c. 55. s. 38.

42. If for the purpose of preventing the seizure or discovery of any materials, furniture, stores, or merchandize belonging to or having been part of the cargo of any ship or vessel lying in the said river or the docks or creeks adjacent thereto, or of any other articles unlawfully obtained from any such ship or vessel, any such or any other article shall be wilfully let fall or thrown into the river, or in any other manner directly or purposely conveyed away or endeavoured to be conveyed away from any ship, boat, barge, lighter, craft, wharf, quay, or other landing-place, every person being party, privy, or accessory to such letting-fall, throwing, or conveyance, or to any previous instructions or premeditated design so to let fall, throw, or convey away any such article with any such purpose as aforesaid, shall be deemed and adjudged guilty of a misdemeanor; and every Thames police-surveyor, or constable or other peace-officer within his jurisdiction, shall apprehend and detain every such person, and forthwith convey him or her before some justice, and shall also seize and detain any boat in which such person shall be found, or out of which any such article shall be so let fall, thrown, or conveyed away; and upon the conviction of such person, such boat, with her tackle, apparel, furniture, and loading, shall be forfeited and disposed of as is herein-after directed, 3 G. 4. c. 55. s. 39.

43. For every offence herein-before declared to be a misdemeanor, or for which no special penalty is herein-before appointed, the offender shall, at the discretion of the justice before whom the conviction shall take place, either forfeit and pay any sum not exceeding 5*l.*, or suffer imprisonment for any time not exceeding two months, in any gaol or house of correction within the jurisdiction of such justice; and in case of the adjudication of a pecuniary penalty, and non-payment thereof, it shall be lawful for such justice to commit the offender to any gaol or house of correction for the like term, unless such penalty shall be sooner paid; and one moiety of every such pecuniary penalty shall be paid to such receiver as aforesaid for the purposes of this act, and the other moiety thereof, under the direction of the justice by whom the same shall have been adjudged, shall either be paid and applied to the use of the informer alone, or be distributed between such persons as shall have contributed to the conviction of the offender, in such shares and proportions as such justice shall think fit; and that when any articles shall be seized by virtue of this act, and the person in whose possession the same shall have been found shall be convicted of a misdemeanor as aforesaid, it shall be lawful for the justice before whom the conviction shall take

place, to cause such articles to be advertised in some public newspaper, to the end that persons having a right thereto may claim and receive the same within 30 days from the date of such advertisement, in the manner and upon the conditions directed in and by 2 G. 3. c. 28. [Stat. Dig. tit. THAMES POLICE, pl. 1.], intituled, *An Act to prevent the committing of thefts and frauds by persons navigating bum-boats and other boats upon the river Thames*; and if no person shall prove his property and right to the said articles within the said 30 days, the same shall be sold for the best price that can reasonably be gotten for the same; and after deducting the charges according to the said recited act, the residue of the produce thereof shall be paid to the said receiver, for the purposes of this act, 3 G. 4. c. 55. s. 40.

44. In every case in which complaint shall be made of any offence by this act declared to be a misdemeanor, or for which any pecuniary penalty is herein-before appointed, with or without imprisonment, in addition thereto or in lieu thereof, the matter of such complaint, if the offence shall have been committed or the offender apprehended within the jurisdiction of the city of London, may be heard and determined by the lord mayor, recorder, or one of the aldermen of the said city, and not elsewhere; but if the offence shall have been committed or the offender apprehended out of the said jurisdiction, such complaint may be heard and determined, either by one of the justices appointed to the Thames police-office as aforesaid, or by any other justice within whose jurisdiction the offence shall have been committed or the offender apprehended; and every conviction thereupon had, shall be certified, filed, and entered in such manner as is directed in and by 2 G. 3. c. 28., with respect to convictions under that act, and may also be drawn up in such form and manner, *mutatis mutandis*, as is appointed in and by the same act; and neither such conviction, nor any proceeding previous thereto, shall be removed by *certiorari* or otherwise, into any court of record, but such conviction shall be final and conclusive, 3 G. 4. c. 55. s. 41.

45. Whereas the punishments for misdemeanors provided in and by the 2 G. 3. c. 28. have been found insufficient for the preventing of such offences; be it enacted, That every person who shall be guilty of any of the offences respectively made and declared to be misdemeanors in and by the said act, may be punished at the discretion of the justice or justices by or before whom the offender shall be convicted, either with the punishment appointed in and by the said act, or by such other punishment as is hereby appointed for and in cases of offences declared to be misdemeanors in and by this present act; and that all the powers and provisions of the said last recited act, respecting the obstruction of its execution, and the commencement and prosecution of actions against justices, and their officers acting thereunder, shall extend to all things done, and to all persons acting under this act, as fully as if the same powers and provisions were herein repeated and re-enacted, 3 G. 4. c. 55. s. 42.

46. In all cases in which it is directed by the said last recited act, that any boat with her tackle and appurtenances, which shall be forfeited, shall be burnt and destroyed, it shall be lawful for any justice before whom any person shall have been convicted of any offence, whereby any boat is or should be adjudged to be forfeited under that act, and also for any justice by whom any boat shall be adjudged to be forfeited under this act, to direct such boat, with her tackle and appurtenances, either to be burnt and destroyed, or to be restored to the owners thereof, or to be publicly sold, and the produce of such sale to be applied in like manner as other forfeitures under this act, 3 G. 4. c. 55. s. 43.

47. Whereas disputes frequently arise between bargemen, lightermen, watermen, ballastmen, coal-whippers, coal-porters, sailors, lumpers, riggers, shipwrights, caulkers, and other labourers who work for hire in or upon the said river, and the docks, creeks, wharfs, quays, and places adjacent, respecting wages or money due to them for work, and the owners, masters, or commanders of vessels and their agents, and the owners, wharfingers, or occupiers of such wharfs or quays, and their agents and other persons employing such labourers; be it further enacted, That all differences, complaints, and disputes which shall happen and arise between any bargemen, lightermen, watermen, ballastmen (except Trinity-ballastmen), coal-whippers, coal-porters, sailors, lumpers, riggers, shipwrights, caulkers, or other labourers who work for hire in or upon the said river, or the docks, creeks, wharfs, quays or places adjacent, and the owners, masters, or commanders of vessels or their agents on the said river, or the docks or creeks thereunto adjoining, or the owners, wharfingers, or occupiers of such wharfs or quays, or their agents or other employers, respecting wages or money due to such labourers for work, whether the same persons be employed for any certain time, or in any other manner, shall be heard and determined by the justices appointed to the Thames police-office, or any one of them, or any other justice within his jurisdiction; and every such justice is hereby empowered to summon before him any such master or com-

mander of any vessel, or any such owner thereof, or his agent, or the owner, wharfinger, or occupier of any wharf or quay, or their respective agents, or any other employer; and if any such master, commander, owner, wharfinger, occupier, agent, or employer, shall refuse or neglect to attend such summons, then every such justice is hereby empowered to issue his warrant to bring such person summoned before him, to answer such complaint, and to examine upon oath any such bargemen, lightermen, waterman, ballastman (other than any Trinity-ballastman), coal-whipper, coal-porter, sailor, lumper, rigger, shipwright, caulker or other labourer, or any other witness or witnesses touching any such complaint or dispute, and to make such order for payment of so much wages to such bargemen, lighterman, waterman, ballastman (other than any Trinity-ballastman), coal-whipper, coal-porter, sailor, lumper, rigger, shipwright, caulker, or other labourer, as to such justice shall seem just and reasonable, provided that the sum ordered do not exceed 5*l.*, besides all reasonable costs attending the prosecution of the complaint, which costs the justice is empowered to order; and in case of refusal to pay, or nonpayment of any sum so ordered, by the space of 24 hours next after such determination, such justice may issue forth his warrant to levy the same, by distress and sale of the goods and chattels of the person ordered to pay the same, together with the charge of such distress and sale; and if no sufficient distress shall be found, such justice shall commit the person ordered to make such payment to prison, for any time not exceeding one month, unless the sum so ordered shall be sooner paid; and every such order shall be final and conclusive, and shall not be removable by *certiorari* or otherwise, into any court whatsoever, 3 G. 4. c. 55. s. 44.

48. Provided, that nothing herein contained shall extend to authorize or empower any justice, except the lord mayor, aldermen, and recorder of the city of *London*, for the time being, or some or one of them, to hear and determine any such differences, complaints, or disputes as shall or may arise for or in respect of any employment or work done within the said city of *London*, or the suburbs and liberties thereof, or on board of any ship, hoy, barge, lighter, boat or other vessel lying or being on the north side of the river, between the Tower of *London* and the western extremity of the *Temple*, adjoining *Essex Street* in the county of *Middlesex*, 3 G. 4. c. 55. s. 45.

49. Provided, that nothing in this act shall extend to deprive the lord mayor, and commonalty and citizens of the city of *London*, of any right, privilege, or jurisdiction heretofore lawfully claimed, exercised, or enjoyed within the town and borough of *Southwark*, or the liberties thereof, or to prevent the said lord mayor for the time being, or such of the aldermen of the said city as have borne the office of mayoralty, or the recorder of the said city for the time being, from acting as justices of the peace within the said town and borough of *Southwark*, and the liberties thereof, in such and the like manner as they could or might have done in case this act had not been made; nor to deprive the lord mayor and commonalty and citizens of the said city of any right, privilege, immunity, or jurisdiction which they have heretofore lawfully claimed, exercised, or enjoyed upon the said river, or the lord mayor of the said city for the time being as conservator of the said river; nor to prevent the said lord Mayor, and the said aldermen and recorder of the said city, from acting as justices of the peace upon the said river, or taking cognizance of offences committed upon or within the limits of the same, in such manner as they might or would have done in case this act had not been made, 3 G. 4. c. 55. s. 46.

50. Provided, that nothing in this act shall extend to deprive the dean and chapter of the collegiate church of *Saint Peter, Westminster*, or the high steward or high bailiff of the city and liberty of *Westminster*, for the time being, or their respective lawful deputies, of any rights, privileges, or jurisdictions which they have heretofore lawfully claimed, exercised, or enjoyed within the said city and liberty, in such and the like manner as they could or might have done in case this act had not been made, 3 G. 4. c. 55. s. 47.

51. Provided also that nothing in this act contained shall extend to prejudice or derogate from any of the rights, privileges, or authorities of the master, warden, and assistants of the guild, fraternity, or brotherhood of the most glorious and undivided Trinity, and of *Saint Clement*, in the parish of *Deptford Strond* in the county of *Kent*, 3 G. 4. c. 55. s. 48.

52. This act shall commence and have effect from the expiration of the 1 & 2 G. 4. c. 118, [which expired on 5th July 1822, see s. 1. of that act, and which is the date of this act,] of the last session of parliament, and shall continue and be in force for the term of seven years, 3 G. 4. c. 55. s. 49.

53. This act shall be deemed, adjudged, and taken to be a public act; and shall be judicially taken notice of as such by all judges, justices, and other persons whomsoever, without the same being specially pleaded, 3 G. 4. c. 55. s. 50.

54. All powers and authorities, privileges, advantages, exemptions, duties, obligations, and liabilities, by the said recited act conferred and

imposed upon the magistrates of the said public-office in *Bow Street*, and upon the clerks, constables, and others therein employed, and on the horse and foot-patrol acting under the orders of the chief magistrate of that office, shall, in case of the removal of that office from the said street to any other street or place, be used and exercised, enjoyed and performed by the magistrates, clerks, officers, patrol, and others respectively, at the office to be substituted for the said public-office in *Bow Street*, in as full and ample manner, to all intents and purposes, as if such substituted office had been expressly named in the said recited act and this act, 6 G. 4. c. 21. s. 5.

55. It shall be lawful for two of the justices appointed under the said recited act to any of the police-offices thereby established, upon the application of five of the inhabitants of any street or square, or of the proprietor of any place of public resort, within the limits of the bills of mortality and the parishes therein enumerated, to appoint a competent number of persons, recommended by such inhabitants or such proprietor respectively, and approved of by such justices, to be constables, to keep the peace within such street or square, or such place of public resort, and the avenues leading thereto, for such period of time as such justices shall deem fit and necessary, and to administer an oath to every such constable, duly to execute that office within the limits and for the period of time for which he shall be appointed; and every constable so sworn shall, within the limits and during the period for which he shall serve, have all such powers and authorities, privileges and advantages, as any constable duly appointed hath or shall have within his constableness, and shall be paid by the inhabitants or proprietor respectively, on whose application he shall be appointed, such wages as shall be deemed reasonable and adequate by the justices by whom he shall be appointed, 6 G. 4. c. 21. s. 4.

56. Whensoever any offender convicted of a misdemeanor of a fraudulent nature under the said recited act, shall be adjudged to imprisonment in the house of correction, it shall be lawful for the convicting justice, if he shall so think fit, to adjudge that such offender shall be there kept to hard labour, 6 G. 4. c. 21. s. 5.

57. And for preventing the evasion of that provision in the said recited act, whereby justices of the peace are prohibited, except in certain cases, from taking any fees within the limits of the bills of mortality, and certain parishes in the said act enumerated; be it further enacted, That every summons which shall, after the passing of this act, be issued by any justice of the peace of the counties of *Middlesex* and *Surrey* respectively, requiring any person residing within the said limits and parishes, to appear at any place without those limits and parishes, to answer any information or complaint touching any matter arising within the said limits and parishes, shall be utterly void and of none effect; any law, custom, or usage to the contrary notwithstanding, 6 G. 4. c. 21. s. 6.

58. Every offence committed against the said recited act, and thereby made punishable under 3 G. 4. c. 40. [post, tit. VAGRANT], intituled, *An Act for consolidating into one act and amending the laws relating to idle and disorderly persons, rogues, and vagabonds, incorrigible rogues, and other vagrants*, in Eng., is and shall be punishable and punished under the provisions of 5 G. 4. c. 83. [post, tit. VAGRANT], intituled, *An Act for the punishment of idle and disorderly persons and rogues and vagabonds, in that part of G. B. called Eng.*; and that the form of conviction prescribed by the said first-recited act, shall and may be altered and adapted as the circumstances of the case shall require, 6 G. 4. c. 26. s. 7.

POOR.

1. For the amendment of the law respecting the settlement of the poor, as far as regards renting tenements and paying parochial taxes, 6 G. 4. c. 57.

2. Whereas the settlement of the poor has been made, in some instances, to depend upon the annual value of tenements which they may have rented, or upon the annual value of tenements in virtue of which they have paid parochial rates: and whereas the ascertaining such value, in such respective cases, has given rise to very expensive litigation; and whereas doubts have been entertained, whether 59 G. 3. c. 50. [Stat. Dig. tit. Poor, pl. 215.], has been effectual for the purpose of altering the law in respect of the necessity of proving the annual value of tenements so rented; and it is expedient that further provision be made relating thereto: be it therefore enacted, That from and after the passing of this act [22d June 1825], the 59 G. 3. c. 50. [Stat. Dig. tit. Poor, pl. 194. 215. see *Rex v. Inhabitants of Benneworth*, 2 Barn. & Cres., 775.], intituled, *An Act to amend the laws respecting the settlement of the poor, so far as regards renting tenements*, shall be and the same is hereby repealed, 6 G. 4. c. 57. s. 1.

3. No person shall acquire a settlement in any parish or township

maintaining its own poor, by or by reason of settling upon, renting, or paying parochial rates for any tenement, not being his or her own property, unless such tenement shall consist of a separate and distinct dwelling-house or building, or of land, or of both, *bonâ fide* rented by such person, in such parish or township, at and for the sum of 10*l.* a year at the least, for the term of one whole year; nor unless such house or building, or land, shall be occupied under such yearly hiring, and the rent for the same, to the amount of 10*l.*, actually paid, for the term of one whole year, at the least: provided, that it shall not be necessary to prove the actual value of such tenement; any thing in any act or acts, or any construction of or implication from any act or acts, or any usage or custom to the contrary notwithstanding, 6 G. 4. c. 57. s. 2.

PRISON AND PRISONER (See GAOL).

PRIZE.

1. To extend two acts of His late Majesty for distribution of prize-money, to all cases of capture that have been made by foreign ships or land forces in conjunction with H. M.'s ships or land forces, 4 G. 4. c. 65.
2. Whereas 47 G. 3. sess. 1. c. 47. [Stat. Dig. this tit., STATS. rep.,

&c. pl. 8.], was passed, intituled, *An Act to authorize the payment of prize money arising from captures made by ships of His Sicilian Majesty in conjunction with British ships to the Sicilian envoy, for the use of the officers and men of such ships; and also the payment of money arising out of proceeds of prizes or captures made by any other ships or vessels belonging to foreign states in conjunction with H. M.'s ships; And another act, 48 G. 3. c. 100. [Stat. Dig. this tit., STATS. rep., pl. 8.] was passed, intituled, *An Act for extending the provisions of an act made in the 47th year of His present Majesty, so far as respects the payment of prize-money arising by captures made by foreign in conjunction with British ships, to captures made by the land forces of foreign states in conjunction with the British; and whereas it is expedient that the provisions of the said act should be extended to all like cases of capture, as therein described, occurring previous to the termination of the late war, not therein provided for: be it therefore enacted, That the provisions of the said acts shall be extended to all cases of capture therein described, that may have been made by foreign ships or land forces in conjunction with H. M.'s ships or land forces in the several wars in which H. M. was engaged, between the time of the passing of the said acts and the termination of the late war: and that all matters and things contained in the said acts shall be so extended, in as full a manner as if they had been herein severally expressed, 4 G. 4. c. 65.**

QUARANTINE.

1. To repeal the several laws relating to the performance of quarantine, and to make other provisions in lieu thereof, 6 G. 4. c. 78.

2. Whereas it is expedient to repeal the several laws relating to the performance of quarantine, and to make other provisions in lieu thereof: be it therefore enacted, That from and after 1st June 1825, all and every act [see 45 G. 3. c. 10., 46 G. 3. c. 98., 50 G. 3. c. 20., 51 G. 3. c. 46. Stat. Dig. this tit., all which acts are REP. 6 G. 4. c. 105.], and all parts of acts of the parliament of G. B. and Ire. respectively, and of the parliament of the U. K., relating to the performance of quarantine, or relating to the charging any duty or duties upon vessels which may be liable to, or have performed quarantine, shall be and the same is hereby repealed; save and except such acts, and such parts of acts, as relate to the payment and recovery of any duties imposed by the said acts, or any parts of acts, which shall be due and unpaid on the said 1st June by any person under any or either of the said acts; and also save and except as to any fine, penalty, forfeiture, or punishment, or fines, penalties, forfeitures, or punishments, to which any such person may be liable by reason of the same; and also save and except as to any action, suit, prosecution, or other proceeding brought or commenced, or which shall hereafter be brought or commenced, for or on account of any such offence so done or committed as aforesaid, 6 G. 4. c. 78. s. 1.

3. From and after the 1st June 1825, all vessels, as well H. M.'s ships of war as others, coming from or having touched at any place from whence H. M., by and with the advice of his or their privy council, shall have adjudged and declared it probable that the plague or other infectious disease or distemper highly dangerous to the health of H. M.'s subjects may be brought, and all vessels and boats receiving any person, goods, wares, and merchandize, packets, packages, baggage, wearing apparel, books, letters, or any other article whatsoever, from or out of any vessel so coming from or having touched at such infected place as aforesaid, whether such persons, goods, wares, and merchandize, packets, packages, baggage, wearing apparel, books, letters, or other articles, shall have come or been brought in such vessels, or such persons shall have gone, or articles have been put on board the same, either before or after the arrival of such vessels at any port or place in the U. K., or the islands of *Guernsey, Jersey, Alderney, Sark, or Man*, and whether such vessels were or were not bound to any port or place in the U. K., or the islands aforesaid, and all persons, goods, wares, and merchandize, packets, packages, baggage, wearing apparel, books, letters, or any other article whatsoever on board of any vessels so coming from or having touched at such infected place as aforesaid, or on board of any such receiving-vessels or boats as aforesaid, shall be and be considered to be liable to quarantine within the meaning of this act, and of any order or orders which shall be made by H. M. in council, concerning quarantine and the prevention of infection, from the time of the departure of such vessels

from such infected place as aforesaid, or from the time when such persons, goods, wares, merchandize, packets, packages, baggage, wearing apparel, books, letters, or other articles shall have been received on board respectively; and all such vessels and boats as aforesaid, and all persons (as well pilots as others), goods, wares, and merchandize, and all other articles as aforesaid, whether coming or brought in such vessels or boats from such infected place as aforesaid, or going or being put on board the same, either before or after the arrival of such vessels or boats at any port or place in the U. K., or the islands aforesaid, and all persons, goods, wares, and merchandize, and other articles as aforesaid, on board such receiving-vessel or boat as aforesaid, shall, upon their arrival at any such port or place, be obliged to perform quarantine in such place or places, for such time, and in such manner as shall from time to time be directed by H. M., by his order or orders in council, notified by proclamation, or published in the *London Gazette*; and that until such vessels and boats, persons, goods, wares, and merchandize, and other articles as aforesaid, shall have respectively performed, and shall be duly discharged from quarantine, no such person, goods, wares, or merchandize, or other articles as aforesaid, or any of them, shall, either before or after the arrival of such vessels or boats at any port or place in the U. K., or the islands aforesaid, come or be brought on shore, or go and be put on board any other vessel or boat, in order to come or be brought on shore in any such port or place, although such vessels so coming from such infected place as aforesaid may not be bound to any port or place in the U. K., or the islands aforesaid, unless in such manner and in such cases, and by such licence as shall be directed or permitted by such order or orders made by H. M. in council, as aforesaid; and all such vessels and boats, whether coming from such infected place as aforesaid, or being otherwise liable to quarantine as aforesaid, and all persons (as well pilots as others), goods, wares and merchandize, and other articles as aforesaid, whether coming or brought in such vessels or boats, or going or being put on board the same, either before or after the arrival of such vessels or boats at any port or place in the U. K., or the islands aforesaid, and although such vessels or boats shall not be bound to any port or place in the U. K., or the islands aforesaid; and all commanders, masters, or other persons, having the charge or command of any such vessels or boats, whether coming from any infected place, or being otherwise liable to quarantine as aforesaid, shall be subject to all provisions, rules, regulations, and restrictions contained in this act, or in any order or orders which shall be made by H. M. in council, as aforesaid, concerning quarantine and the prevention of infection, and to all the pains, penalties, forfeitures, and punishments contained in this act, for any breach or disobedience thereof, or of any order or orders of H. M. in council made under the authority thereof, 6 G. 4. c. 78. s. 2.

4. It shall and may be lawful for H. M., by his or their order in council, or for the lords or others of his privy council, or any two or more of them, by their order from time to time, as often as they may

see reason to apprehend that the yellow fever or other highly infectious distemper prevails on the continent of *America*, or in the *West Indies*, to require that every vessel coming from or having touched at any port or place on the continent of *America* or in the *West Indies*, shall come to an anchor at certain places to be appointed from time to time by the commissioners of customs, (who are hereby authorized to make such appointment,) for the purpose of having the state of health of the crew of such vessel ascertained before such vessel shall be permitted to enter the port whereto she shall be bound, or any other port of the U. K.; but that such vessel shall not be deemed liable to quarantine unless it shall be afterwards specially ordered under that restraint, 6 G. 4. c. 78. s. 5.

5. Provided, that it shall and may be lawful for the lord lieutenant, or other chief governor or governors of *Ire.*, by his or their order or orders, made by the advice and consent of H. M.'s privy council in *Ire.*, and notified by proclamation, to give directions, where the urgency of the case shall require, as to the place, and as to the time and manner in which ships and vessels arriving, and persons, goods, and merchandizes coming or imported into any port or place in *Ire.*, shall make their quarantine, in pursuance of the provisions of this act; and that until such ships, vessels, persons, goods, and merchandizes shall have respectively performed and been discharged from such quarantine, pursuant to the provisions of this act, it shall and may be lawful for any such persons, goods, or merchandizes, or any of them, to come or be brought on shore, or to go or be put on board any other ship or vessel in any place in *Ire.*, in such cases, and by such licence as shall or may be directed or permitted by any order or orders to be made by the lord lieutenant, &c. of *Ire.*, by the advice and consent of the privy council there, and notified as aforesaid; and that all such ships and vessels, and the persons or goods coming or imported in, or going and being put on board such ships or vessels, and all ships, vessels, boats, and persons receiving any goods or persons out of the same, and all persons going on board any such ship or vessels, shall be subject to such orders, rules, and directions concerning quarantine and the preventing infection, as shall be made from time to time by the lord lieutenant, &c. of *Ire.* in council, and shall be notified by proclamation as aforesaid, in pursuance of the provisions contained in this act; and that the publication in the *Dublin Gazette* of any order or orders of the lord lieutenant, &c. and council, made in pursuance of this act, shall be deemed and taken to be sufficient notice to all persons concerned, of all matters contained in any such order or orders respectively, 6 G. 4. c. 78. s. 4.

6. And whereas certain sorts of goods and merchandize are more especially liable to retain infection, and may be brought from places infected into other countries, and from thence imported into the U. K., or the islands aforesaid; be it enacted, That all such goods and merchandize as shall be particularly specified for that purpose in any order or orders made by H. M. in council, concerning quarantine and the prevention of infection as aforesaid, which shall be brought or imported into any port or place in the U. K., or the islands aforesaid, from any foreign country or place, in any vessel whatever, and the vessels in which the same shall be brought, and also all vessels which shall arrive from any port or place whatever, under any alarming or suspicious circumstances as to infection, shall be subject and liable to such regulations and restrictions as shall be made by such order or orders of H. M. in council as aforesaid, respecting the same, 6 G. 4. c. 78. s. 5.

7. It shall and may be lawful for the lords and others of H. M.'s privy council, or any two or more of them, to make such order as they shall see necessary and expedient upon any unforeseen emergency, or in any particular case or cases, with respect to any vessel arriving and having any infectious disease or distemper on board, or on board of which any infectious disease or distemper may have appeared in the course of the voyage, or arriving under any other alarming or suspicious circumstances as to infection, although such vessels shall not have come from any place from which H. M. in council may have adjudged and declared it probable that the plague or any such infectious disease or distemper may be brought, and also with respect to the persons, goods, wares, and merchandize, and other articles as aforesaid on board the same; and in case of any infectious disease or distemper appearing or breaking out in the U. K., or the islands aforesaid, to make such orders and give such direction, in order to cut off all communication between any persons infected with any such disease or distemper, and the rest of H. M.'s subjects, as shall appear to the said lords or others of H. M.'s privy council, or any two or more of them, to be necessary and expedient for that purpose, and likewise to make such orders as they shall see fit, for shortening the time of quarantine to be performed by particular vessels or particular persons, goods, wares, merchandize, or any other articles, or for absolutely or conditionally releasing them or any of them from quarantine; and all such orders so made by the lords or others of the privy council, or any two or more of them as aforesaid, shall be as good, valid, and effectual, to all intents and purposes, as well with respect to the commander, master, or other person having the charge of any vessel, and all other persons on board the same, as with respect to

any other persons having any intercourse or communication with them, and to the penalties, forfeitures, and punishments to which they may respectively become liable, as any order or orders made by H. M. in council concerning quarantine, notified by proclamation or published in the *London Gazette*, 6 G. 4. c. 78. s. 6.

8. If the plague, or such other infectious disease or distemper as aforesaid, shall appear on board any vessel within or without the streights of *Gibraltar*, then the commander, master, or other person having the charge or command thereof, shall immediately proceed to such place as H. M. in council shall from time to time direct and appoint; where being arrived, he shall make known his case to some officer of the customs there, who shall with all possible speed send intelligence thereof to the commissioners of the customs in the port of *London*, to the end that such precautions may be used to prevent the spreading of the infection, as the case shall require; and the said vessel shall there remain until directions shall be given thereto by the lords or others of H. M.'s privy council, or any two or more of them; nor shall any of the crew or passengers on board thereof go on shore; and such master and every other person on board such vessel shall obey such directions as he shall receive from the lords and others of H. M.'s privy council, or any two or more of them as aforesaid; and the said commander, master, or any other person on board such vessel as aforesaid, who shall not act conformably to the provisions and regulations herein directed, or shall act in disobedience to such directions as shall be received on board such vessel from the lords or others of the privy council, or any two or more of them as aforesaid, shall forfeit the sum of 100*l.*, 6 G. 4. c. 78. s. 7.

9. Every commander, master, or other person having the charge of any vessel liable to the performance of quarantine, shall be and is hereby required, at all times, when such vessel shall meet with any other vessel at sea, or shall be within two leagues of the coast of the U. K., or the islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to hoist a signal to denote that his vessel is liable to the performance of quarantine, which signal shall in the day-time, if the said vessel shall have a clean bill of health, be a large yellow flag, of six breadths of bunting, at the maintop mast-head; and if such vessel shall not have a clean bill of health, then a like yellow flag, with a circular mark or ball, entirely black in the middle thereof, whose diameter shall be equal to two breadths of bunting; and in the night-time the signal shall in both cases be a large signal lanthorn with a light therein (such as is commonly used on board H. M.'s ships of war), at the same mast-head; and such commander, master, or other person shall keep such signals respectively, as the case shall be, hoisted during such time as the said vessel shall continue within sight of such other vessel, or within two leagues of the said coasts or islands, and while so in sight, or within such distance, until such vessel so liable to quarantine as aforesaid shall have arrived at the port or place where it is to perform quarantine, and until it shall have been legally discharged from the performance thereof; on failure whereof such commander, master, or other person having charge of such ship or vessel so liable to the performance of quarantine, shall forfeit and pay for every such offence the sum of 100*l.*, 6 G. 4. c. 78. s. 8.

10. Every commander, master, or other person having the charge of any vessel on board whereof the plague or other infectious disease or distemper highly dangerous to the health of H. M.'s subjects shall actually be, shall be and is hereby required at all times when such vessel shall meet with any other vessel at sea, or shall be within two leagues of the coast of the U. K., or the islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to hoist a signal to denote that his vessel has the plague or other infectious disease or distemper highly dangerous to the health of H. M.'s subjects actually on board thereof, which signal shall be in the day-time a flag of yellow and black, borne quarterly, of eight-breadths of bunting, at the maintop mast-head; and in the night-time, the signal shall be two large signal lanthorns, such as are commonly used on board of H. M.'s ships of war, one over the other, at the same mast-head; and such commander, master, or other person shall keep such signal hoisted during such time as the said vessel so having the plague or such other infectious disease or distemper as aforesaid on board thereof, shall continue within sight of such other vessel, or within two leagues of the coasts or islands aforesaid, while so in sight or within such distance, until such vessel so having the plague or such other infectious disease or distemper as aforesaid on board thereof, shall have arrived at the port or place where it is to perform quarantine, and until it shall have been legally discharged from the performance thereof; on failure thereof such commander, master, or other person having charge of such vessel, shall forfeit and pay for every such offence the sum of 100*l.*, 6 G. 4. c. 78. s. 9.

11. If any commander, master, or other person having the charge or command of any vessel, and knowing that the same is not liable to the performance of quarantine, shall hoist such signal as aforesaid, or either of them, by day or night respectively, such commander or other person as aforesaid shall forfeit and pay the sum of 50*l.*, 6 G. 4. c. 78. s. 10.

12. From and after the 1st July 1825, as to all vessels arriving from any places beyond the *Cape of Good Hope*, or *Cape Horn* in *South America*, and after the 1st Aug. 1825, as to all vessels arriving from any parts of *Africa*, or *America* not beyond those capes, and from the *West Indies* and *Mediterranean*, and from after the 1st June 1825, as to all vessels arriving from any other places, every commander, master, or other person having the charge of any vessel coming from foreign parts, shall give to the pilot who shall go on board such vessel a written paper, containing a true account of the names of the place and country at which such vessel shall have loaded, and also of all the places at which any such vessel shall have touched on the homeward voyage, on pain of forfeiting the sum of 100*l.* for any neglect or refusal to give such paper, or for any false representation or wilful omission therein; and if by any proclamation or order of H. M. in council, made after the departure of any vessel from the U. K. and the said islands, and then in force, vessels coming from any place mentioned in any such paper shall be liable to the performance of quarantine, such pilot shall immediately give notice thereof to the commander or other person aforesaid, of such vessel, on pain of forfeiting the sum of 100*l.* for any neglect therein; and such commander or other person shall thereupon hoist a proper signal, according to the provisions of this act, and under the penalties in this act contained for any neglect or refusal in respect of hoisting such signals, 6 *G. 4. c. 78. s. 11.* [See 6 *G. 4. c. 125. s. 36. tit. PILOTAGE, pl. 37.*]

13. Every commander, master, or other person having the charge of any vessel coming from foreign parts, which shall not be liable to quarantine in respect of the place from whence such vessel comes, shall give to the pilot who shall go on board of such vessel a written paper, containing a true account of the different articles composing the cargo of such vessel, on pain of forfeiting the sum of 50*l.* for any neglect or refusal to give such paper, or for any false representation or wilful omission therein; and if by any proclamation or order of H. M. in council then in force, vessels having on board any of the articles mentioned in such paper shall be liable to the performance of quarantine, such pilot shall immediately give notice thereof to the commander or other person having the charge of such vessel, on pain of forfeiting 100*l.* for any neglect therein, and such commander or other person shall thereupon hoist a signal, according to the provisions and under the respective penalties in this act contained, for any neglect or refusal in respect of hoisting such signals; and in case any pilot shall bring or cause to be brought or conducted any vessel liable to the performance of quarantine, into any place which is not or shall not be specially appointed for the reception of vessels so liable, after receiving such paper as aforesaid, whereby it shall have been made appear that such vessel was liable to the performance of quarantine, or without requiring and receiving such paper as aforesaid, unless compelled thereto by stress of weather, adverse winds, or accidents of the sea, such pilot shall for every such offence forfeit and pay the sum of 200*l.*, 6 *G. 4. c. 78. s. 12.*

14. If any pilot being on board, or any commander, master, or other person having the charge of any vessel coming from foreign parts, whether such vessel shall be liable to quarantine or not, shall be required by any officer of the customs, authorized to act in the service of quarantine, to bring to such vessel, to the end that the commander, master, or other person having the charge thereof may be interrogated, according to the provision of this act, and shall neglect or refuse to bring to such vessel, as soon as it can be done with safety, in obedience to such requisition, every such pilot, commander, master, or other person having the charge of any such vessel shall for every such offence forfeit and pay the sum of 100*l.*, 6 *G. 4. c. 125. s. 15.*

15. And to the end that it may be better known whether any vessel be actually infected with the plague or other infectious disease or distemper as aforesaid, or whether such vessel, or the mariners or passengers coming, or the cargo imported in the same, are liable to any orders touching quarantine; be it further enacted, That when any country or place shall be known or suspected to be infected with the plague or other infectious disease or distemper as aforesaid, or when any order or orders shall be made by H. M. in council concerning quarantine and the prevention of infection as aforesaid, then and in such case, as often as any vessel shall attempt to enter into any port or place in the U. K., or of the isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, whether such port shall have been appointed for the performance of quarantine or not, the superintendent or assistant at such port or place, or if not, the principal officer of customs at such port or place, or such officer of the customs as shall be authorized to act in that behalf, shall go off to such vessel, and shall, at a convenient distance from such vessel, demand of the commander, master, or other person having charge of such vessel, and such commander, master, or other person shall, upon such demand, give a true answer in writing or otherwise, and upon oath or not upon oath, according as he shall by such superintendent or his assistant, or other officer of the customs authorized as aforesaid, be required, to all such questions or interrogatories as shall be put to him by virtue and

in pursuance of such regulations and directions as H. M. by order in council shall be pleased to prescribe; and in case such commander or master, or other person having charge of such vessel shall, upon such demand made as aforesaid, refuse to make a true discovery in any of the particulars concerning which he shall be interrogated in manner aforesaid, or in case he shall not be required to answer such questions or interrogatories upon oath, shall give a false answer to any such question or interrogatory as aforesaid, such commander, master or other person having charge of such vessel, for every such offence shall forfeit the sum of 200*l.*, 6 *G. 4. c. 78. s. 14.*

16. In case it shall appear upon such examination or otherwise, that such vessel is under such circumstances as shall render it liable to perform quarantine, and that the port or place where it so arrived, or at which it attempts to enter as aforesaid, is not the port or place where it ought to perform quarantine, in which case it shall and may be lawful to and for the officers of any of H. M.'s ships of war, or of any of H. M.'s forts or garrisons, and all other H. M.'s officers, upon notice thereof given to them, or any of them respectively, and to and for any other person whom they shall call to their aid and assistance, and such officers and other persons are hereby required to oblige such vessel to go and repair to such place as hath been or shall be appointed for performance of quarantine, and to use all necessary means for that purpose, either by firing of guns upon such vessel, or by any other kind of necessary force whatsoever; and in case any such vessel shall come from, or shall have touched at any place infected by the plague or such other infectious disease or distemper as aforesaid, or shall have any person on board actually infected with the plague or other such infectious disease or distemper as aforesaid, and the commander, master, or other person having charge of such vessel, knowing that the place from whence he came, or at which he had touched as aforesaid, was infected with the plague or such other infectious disease or distemper, or knowing some person on board to be actually infected with the plague or such other infectious disease or distemper as aforesaid, shall refuse or omit to disclose the same upon such examination as aforesaid, or shall wilfully omit to hoist the signal herein-before directed, to denote that his vessel is liable to the performance of quarantine, at the times and on the occasions herein directed with respect to the same, such commander, master, or other person having charge of such vessel shall forfeit the sum of 500*l.*, 6 *G. 4. c. 78. s. 15.*

17. Every commander, master, or other person having charge of any vessel which shall be ordered to perform quarantine as aforesaid, shall forthwith, after his arrival at the place appointed for the performance of quarantine, deliver on demand to the superintendent of quarantine or his assistant, or other officer of the customs authorized to act in that behalf, and which superintendent, assistant, or other officer as aforesaid is hereby required to make such demand, his bill of health and manifest, together with his log-book and journal, under pain of forfeiting the sum of 100*l.* if he shall wilfully refuse or neglect so to do, 6 *G. 4. c. 78. s. 16.*

18. If any commander, master, or other person having charge of any vessel liable to perform quarantine, and on board of which the plague or other infectious disease or distemper shall not then have appeared, shall himself quit, or shall knowingly permit or suffer any seamen or passenger coming in such vessel to quit such vessel by going on shore, or by going on board any other vessel or boat, before such quarantine shall be fully performed, unless by such licence as shall be granted by virtue of any order in council to be made concerning quarantine as aforesaid, or in case any commander or other person having charge of such vessel shall not, within a convenient time after due notice given for that purpose, cause such vessel and the lading thereof to be conveyed into the place or places appointed for such vessel and lading to perform quarantine; then and in every such case every such commander, master, or other person as aforesaid, for every such offence shall forfeit and pay the sum of 400*l.*; and if any such person coming in any such vessel liable to quarantine (or any pilot or other person going on board the same, either before or after the arrival of such vessel at any port or place in the U. K., or the islands aforesaid), shall, either before or after such arrival, quit such vessel, unless by such licence as aforesaid, by going on shore in any port or place in the U. K., or the islands aforesaid, or by going on board any other vessel or boat, with intent to go on shore as aforesaid, before such vessel so liable to quarantine as aforesaid shall be regularly discharged from the performance thereof, it shall and may be lawful for any person whatsoever, by any kind of necessary force, to compel such pilot or other person so quitting such vessel so liable to quarantine to return on board the same; and every such pilot or other person so quitting such vessel so liable to quarantine shall for every such offence suffer imprisonment for the space of six months, and shall forfeit and pay the sum of 500*l.*, 6 *G. 4. c. 78. s. 17.*

19. And whereas disobedience or refractory behaviour in persons under quarantine or liable to the performance of quarantine, or in other

persons who may have had any intercourse or communication with them, may be attended with very great danger to H. M.'s subjects; be it further enacted, That all persons liable to perform quarantine, and all persons having had any intercourse or communication with them, whether in vessels or in a lazaret or elsewhere, shall be subject, during the said quarantine, or during the time they shall be liable to quarantine, to such orders as they shall receive from the superintendent of quarantine, or his assistant, or from the principal officer of the customs at any port or place where there is no such superintendent or assistant, or from any other officer of the customs authorized to act in that behalf, and the said officers are hereby empowered and required to enforce all necessary obedience to the said orders, and in case of necessity to call in others to their assistance, and all persons so called in are hereby required to assist accordingly; and such officers shall and they are hereby empowered and required to compel all persons liable to perform quarantine as aforesaid, and persons having had any intercourse or communication with them, to repair to such lazaret, vessel, or place, and to cause all goods, wares, and merchandize, and other articles comprized within any such orders to be made as last aforesaid, to be conveyed to such lazaret, vessel, or place duly appointed in that behalf, in such manner and according to such directions as shall be made by order of H. M. in council as aforesaid, or of the lords or others of the privy council, or of any two or more of them; and if any person liable to perform quarantine as aforesaid, or any person having had any intercourse or communication with him, her, or them, shall wilfully refuse or neglect to repair forthwith, when required and directed so to do by such officers as aforesaid, to the said lazaret, vessel, or place duly appointed in that behalf, or having been placed in the said lazaret, vessel, or place, shall escape or attempt to escape out of the same before quarantine duly performed, it shall and may be lawful to and for the said quarantine officers, and also the watchmen and other persons appointed to see quarantine performed, and each of them are hereby respectively required, by such necessary force as the case shall require, to compel every such person so refusing or neglecting as aforesaid, and every such person so escaping or attempting to escape as aforesaid, to repair or return to such lazaret, vessel, or place so appointed as aforesaid; and every person so refusing or neglecting to repair forthwith as aforesaid to the said lazaret, vessel, or place, and also every person actually escaping as aforesaid, shall forfeit the penalty of 200*l.*, 6 *G. 4. c. 78. s. 18.*

20. It shall be lawful for any constable, headborough, tithingman, or other peace-officer, or any other person, to seize and apprehend any person that shall, contrary to the provisions of this act, have quitted or come on shore from any vessel liable to perform quarantine, or who shall have escaped from or quitted any vessel under quarantine, or from any lazaret, vessel, or place appointed in that behalf, for the purpose of carrying such person before any justice of the peace or magistrate; and it shall be lawful for any such justice of the peace or magistrate to grant his warrant for the apprehending and conveying of any such person to the vessel from which he or she shall have come on shore, or to any vessel performing quarantine, or lazaret, from which he or she shall have escaped, or for the confining of any such person in any such place of safe custody (not being a public gaol), and under such restrictions as to having any communication with any other persons, as may in the discretion of any justice of the peace or magistrate (calling to his aid, if he shall see fit, any medical person) appear to be proper, until such person can be safely and securely conveyed to some place appointed for the performance of quarantine, or until directions can be obtained from the privy council as to the disposal of any such person, and to make any further order, or grant any further warrant that may be necessary in that behalf, 6 *G. 4. c. 78. s. 19.*

21. And whereas it may be necessary for the public security to prevent all communication whatever with vessels performing quarantine; be it therefore further enacted, That it shall and may be lawful to and for H. M., by order or orders in council, notified by proclamation or published in the *London Gazette*, to prohibit all persons, vessels, and boats whatsoever, from going under any pretence whatsoever within the limits of any station which by any order or orders in council as aforesaid has been or may be assigned for the performance of quarantine; and if any person whatsoever, after such notification or publication of any such order or orders in council, shall presume, under any pretence whatsoever, to go with any vessel or boat within the limits of any such station, he or she shall for every such offence forfeit and pay the sum of 200*l.*, 6 *G. 4. c. 78. s. 20.*

22. If any officer of customs, or any other officer or person whatsoever, to whom it doth or shall appertain to execute any order or orders made or to be made concerning quarantine, or the prevention of infection, and notified as aforesaid, or to see the same put in execution, shall knowingly and wilfully embezzle any goods or articles performing quarantine, or be guilty of any other breach or neglect of his duty in respect of the vessels, persons, goods, or articles performing quarantine, every such officer or person so offending shall forfeit such office or em-

ployment as he may be possessed of, and shall become from thence incapable to hold or enjoy the same, or to take a new grant thereof; and every such officer and person shall forfeit and pay the sum of 200*l.*; and if any such officer or person shall desert from his duty when employed as aforesaid, or shall knowingly and willingly permit any person, vessel, goods, or merchandize to depart or be conveyed out of the said lazaret, vessel, or other place as aforesaid, unless by permission under an order of H. M., by and with the advice of his privy council, or under an order of two or more of the lords or others of His privy council; or if any person hereby authorized and directed to give a certificate of a vessel having duly performed quarantine or airing, shall knowingly give a false certificate thereof, every such person so offending shall be guilty of felony; and if any such officer or person shall knowingly or wilfully damage any goods performing quarantine under his direction, he shall be liable to pay 100*l.* damages, and full costs of suit to the owner of the same, 6 *G. 4. c. 78. s. 21.*

23. If any vessel arriving from the *Mediterranean*, or from any port in *Turkey* or *Africa*, shall have undergone examination by the proper officer of quarantine, and upon a report of such examination being made to the lords or others of H. M.'s privy council, their lordships shall think proper to direct the release of such vessel from the performance of quarantine, it shall be lawful for such officer, and he is hereby required to grant to the master or person having the charge or command of such vessel, a certificate in writing of such examination and release, and upon the production of such certificate to the collector or principal officer of H. M.'s customs, at any port in the U. K. such vessel shall be admitted to entry without being liable to any further restraint, 6 *G. 4. c. 78. s. 22.*

24. After quarantine shall have been duly performed by any vessel, or persons obliged to perform quarantine as aforesaid, according to this act, and to such order or orders made as aforesaid, and upon proof to be made by the oaths of the master or other person having charge of such vessel, and of three or more of the persons belonging thereto, or upon proof to be made by the oaths of two or more credible witnesses, before the collector or principal officer of the customs at the port where such quarantine shall be performed, or at the port nearest thereto, or before the superintendent of quarantine, or his assistant at the quarantine station, or before any justice of the peace living near to the port or place, or when such quarantine shall have been performed within any of the said isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, before any two jurats or magistrates of any of the said isles respectively, that such vessel, and all and every such person and persons respectively, have duly performed quarantine as aforesaid, and that the vessel and all and every person are free from infection, and after producing a certificate to that purpose, signed by the chief officer who superintended the quarantine of the said vessel, or person acting for him, then and in the said respective cases, such collector or principal officer of the customs, or the superintendent of quarantine, or his assistant, or such justice of the peace, or such jurats or magistrates as aforesaid, respectively, are hereby required to give a certificate thereof, and thereupon such vessel, and all and every such person so having performed quarantine, shall be liable to no further restraint or detention upon the same account, for which such vessel, person or persons shall have performed quarantine as aforesaid, 6 *G. 4. c. 78. s. 23.*

25. All goods, wares, and merchandize, and other articles liable to quarantine as aforesaid, shall be opened and aired in such place, and for such time and in such manner as shall be directed by H. M., by such order or orders to be made as aforesaid, and after such order shall have been duly complied with, proof thereof shall be made by the oaths of the master of the lazaret or vessel in which the goods, wares, and merchandize and all other articles shall have been opened and aired, and of one of the guardians, or if there be no guardians, then one of the officers authorized by the commissioners of customs to act in the service of quarantine in such lazaret or vessel, or if there be no such officer, then by the oaths of two or more credible witnesses serving in the said lazaret or vessel, before the superintendent of quarantine or his assistant, in case such opening and airing shall be had at a port or place where such superintendent or assistant shall be established, or otherwise before the principal officer of the customs authorized to act in the service of quarantine at such port or place, which oath such superintendent, assistant, or principal officer is hereby authorized to administer; and such superintendent, assistant, or principal officer, as the case may be, shall grant a certificate of such proof having been made, and upon production of such certificate to the proper officer of the customs, such goods, wares, and merchandizes, and other articles, shall be liable to no further restraint or detention, either at the port or place where such quarantine shall have been performed, or at any other place whereto they be afterwards conveyed, 6 *G. 4. c. 78. s. 24.*

26. If any person shall knowingly or wilfully forge or counterfeit, interline, erase, or alter, or procure to be forged or counterfeited, interlined, erased, or altered, any certificate directed or required to be

granted by any order of H. M. in council, now in force or hereafter to be made touching quarantine, or shall publish any such forged or counterfeited, interlined, erased, or altered certificate, knowing the same to be forged or counterfeited, interlined, erased, or altered, or shall knowingly and wilfully utter and publish any such certificate with intent to obtain the effect of a true certificate to be given thereto, knowing the contents of such certificate to be false, he or she shall be guilty of felony, 6 G. 4. c. 78. s. 25.

27. If any person shall land or unship, or shall move in order to the landing or unshipping thereof, any goods, wares, or merchandize, packets, packages, baggage, wearing apparel, books, letters, or other articles from on board any vessel liable to perform quarantine as aforesaid, or shall knowingly receive the same after they have been so landed or unshipped, every such person shall forfeit and pay the sum of 500*l.*; and if any person shall clandestinely convey or secrete, or conceal for the purpose of conveying any letters, goods, wares, or merchandize or other articles as aforesaid, from any vessel actually performing quarantine, or from the lazaret or other place where such goods, wares, merchandize, or other articles as aforesaid shall be performing quarantine, every such person so offending as last aforesaid shall forfeit the sum of 100*l.*, 6 G. 4. c. 78. s. 26.

28. In case it shall at any time happen that any part of the U. K., or the islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or *France*, *Spain*, or *Portugal*, or the *Low Countries*, shall be infected with the plague, or any other infectious disease or distemper as aforesaid, it shall and may be lawful to and for H. M., by his or their proclamation, to prohibit or restrain all vessels and boats under the burthen of 100 tons from sailing or passing out of any port or place of the U. K., or the isles of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or any of them, until security be first given by the master of every such vessel or boat respectively, to the satisfaction of the principal officers of the customs, or the chief magistrate of the port or place from whence such vessel or boat shall sail, by bond taken by such officer or magistrate, to the King, his heirs or successors, with sufficient sureties in the penalty of 200*l.*, with condition, that if such vessel or boat shall not go to or touch at any country, port, or place, to be mentioned for that purpose in such proclamation, and if neither the master or other person having charge of such vessel or boat, nor any mariner or passenger in such vessel or boat, shall, during the time aforesaid, go on board any other vessel at sea, and such master or other person having charge of such vessel or boat shall not permit or suffer any person to come on board such vessel or boat at sea from any other vessel, and shall not during the time aforesaid, receive any goods or merchandize whatsoever out of any other vessel, then such bond shall be void; for the making of which bond no fee or reward whatsoever shall be taken; and in case any vessel or boat for which such security shall be required by such proclamation, shall set sail or pass out of any port or place of the U. K., or the islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or any of them respectively, before security be given as aforesaid, every such vessel or boat so sailing or passing out of any port or place contrary to the true intent and meaning of this act, together with her tackle, apparel, and furniture, shall be forfeited to H. M., and the master of, and every mariner sailing in such vessel or boat, shall severally forfeit and pay the sum of 200*l.*, 6 G. 4. c. 78. s. 27.

29. The consuls and vice-consuls of H. M., shall and are hereby empowered to administer oaths in all cases respecting quarantine, in like manner as if they were magistrates of the several towns or places where they respectively reside, 6 G. 4. c. 78. s. 28.

30. In all cases wherein by virtue of this act, or any other act hereafter to be made touching quarantine, any examination or answer shall be taken or made upon oath, the person who shall be authorized and required to take such examinations and answers, shall and may be deemed to have full power and authority to administer such oaths; and if any person who shall be interrogated or examined, shall wilfully swear falsely to any matter concerning which such person shall depose or make oath on such examination, or in such answer, or if any person shall procure any other person so to do, he or she so swearing falsely, or procuring any other person so to do, shall be deemed to have been guilty of, and shall be liable to be prosecuted for perjury, or subornation of perjury, as the case may be, and shall suffer the pains, penalties, and punishments of the law in such case respectively made and provided, 6 G. 4. c. 78. s. 29.

31. All superintendents of quarantine at the several ports, and their assistants, shall and may be appointed by any instrument signed by the commissioners of customs for the time being; and every thing required to be done and performed by the superintendent of quarantine, or his assistant, may, in case of the absence or sickness of such superintendent or assistant, be done and performed by such principal officer of the customs as shall be authorized to act in that behalf, 6 G. 4. c. 78. s. 30.

32. The publication in the *London Gazette* of any order in council, or of any order by any two or more of the lords or others of H. M.'s

privy council, made in pursuance of this act, or H. M.'s royal proclamation made in pursuance of the same, shall be deemed and taken to be sufficient notice to all persons concerned of all matters therein respectively contained, 6 G. 4. c. 78. s. 31.

33. All forfeitures and penalties that shall be incurred by reason of any offence committed against this act shall and may be recovered by suit in any of H. M.'s courts of record in *Eng.* or *Ire.*, in which no essoign or wager of law, or more than one imparlance shall be granted; or in *Scot.*, by summary action in the court of session, or by prosecution before the court of justiciary there, or by suit in any of H. M.'s courts in the islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*; and every such forfeiture and penalty shall belong and be given, two-thirds to the person who shall inform and sue for the same, and the remainder to H. M., 6 G. 4. c. 78. s. 32.

34. Provided, that it shall not be lawful for any person whatsoever to commence, prosecute, enter, or file, or cause or procure to be commenced, prosecuted, entered, or filed, any action, bill, plaint, information, or prosecution, in any of H. M.'s courts in *Eng.*, *Ire.*, or *Scot.*, or any proceeding before any justice of the peace of any county, riding, division, city, town, stewartry, or place for the recovery of any fine, penalty or forfeiture, incurred by reason of any offence committed against this act, or against any order or orders made by H. M. in council, or by two or more of the lords or others of H. M.'s privy council as aforesaid, unless the same be commenced, prosecuted, entered, or filed in the names of H. M.'s attorney general in *Eng.* or *Ire.*, or advocate in *Scot.* respectively, or under the direction of the commissioners of the customs, and in the name or names of some officer or officers of the customs in *Eng.*, *Ire.*, or *Scot.* respectively; and if any action, bill, plaint, information, or prosecution, or any proceeding before any justice as aforesaid, shall be commenced, prosecuted, entered, and filed in the name or names of any other person than is in that behalf before mentioned, the same shall be and are hereby declared to be null and void, 6 G. 4. c. 78. s. 33.

35. Provided, that in case any prosecution, suit, complaint or other proceeding as aforesaid, shall be commenced or depending by any officer of the customs, for the recovery of any fine, penalty or forfeiture, incurred by reason of any offence committed against this act, or against any order or orders made by H. M. in council, or by any two or more of the lords or others of H. M.'s privy council as aforesaid, it shall and may be lawful for H. M.'s attorney-general in *Eng.* or *Ire.*, or advocate in *Scot.*, respectively, to stop all further proceedings therein, as well with respect to the share of such fine, penalty, or forfeiture, to which any such officer or officers shall or may claim to be entitled, as to the share thereof belonging to H. M., if upon consideration of the circumstances under which any such fine, penalty, or forfeiture, may be incurred, it shall appear to them respectively to be fit and proper so to do, 6 G. 4. c. 78. s. 34.

36. All offences committed against any of the provisions of this act, for which no specific penalty, forfeiture, or punishment is provided by this act, shall and may be tried, heard, and determined before any three justices of the peace of the county, riding, division, city, or place where such offence or disobedience shall happen; and if any person shall be convicted of any such offence or disobedience, he or she shall be liable to such forfeiture and penalty not exceeding the sum of 500*l.* for any offence, or to such imprisonment, not exceeding 12 months for any one offence, as shall in the discretion of the three justices who shall have heard and determined the same, be judged proper; and such forfeiture and penalty shall be paid two-thirds to the person suing for the same and the remainder to H. M., to be applied as the proceeds of other forfeitures and penalties are herein-before directed to be applied, 6 G. 4. c. 78. s. 35.

37. In any prosecution, suit, or other proceedings against any person whatsoever, for any offence against this act, or any act which may hereafter be passed concerning quarantine, or for any breach or disobedience of any order or orders which shall be made by H. M., with the advice of his privy council, concerning quarantine and the prevention of infection, and notified or published as aforesaid, or of any order or orders made by two or more of the lords or others of the privy council aforesaid, the answer of the commander, master, or other person having charge of any vessel, to any question or interrogatories put to him by virtue and in pursuance of this act, or of any act which may hereafter be passed concerning quarantine, or of any such order or orders as aforesaid, may and shall be given and received as evidence, so far as the same relates or relate to the place from which such vessel shall come, or to the place at which such vessel touched in the course of the voyage, and where any vessel shall have been directed to perform quarantine by the superintendent of quarantine or his assistant, or where there is no such superintendent or assistant, by the principal officer of the customs at any port or place, or other officer of the customs authorized to act in that behalf, they having been so directed to perform quarantine, may and shall be given and received as evidence that such vessel was liable to quaran-

tine, unless satisfactory proof shall be produced by the defendant in any such prosecution, suit, or other proceeding, to show that the vessel did not come from or touch at any such place or places as is or are stated in the said answer, or that such vessel, although directed to perform quarantine, was not liable to the performance thereof; and where any such vessel shall have in fact been put under quarantine at any port or place by the superintendent of quarantine or his assistant, or other officer of the customs authorized as aforesaid to act in that behalf, and shall actually be performing the same, such vessel shall in any prosecution, suit, or other proceeding, against any person whatever, for any offence against this act or any other act which may hereafter be passed concerning quarantine and the prevention of infection, or any order or orders which shall be made by H. M. in council, or any two or more of the lords or others of his privy council as aforesaid, be deemed and taken to be liable to quarantine, without proving in what manner or from what circumstance such vessel became liable to the performance thereof, 6 G. 4. c. 78. s. 36.

38. If any action or suit shall be commenced against any person for any thing done in pursuance or execution of this present act, or of any order of council made by virtue thereof, the defendant in such action or suit may plead the general issue, and give this act and the special matter in evidence at the trial, and that the same was done in pursuance and in execution of the said act; and if it shall appear so to have been done, then the jury shall find for the defendant; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant shall have appeared, or if judgment shall have been given upon any verdict or demurrer against the plaintiff, the defendant shall recover treble costs, and have the like remedy for the same as the defendant hath in other cases by law; and that no such action or suit shall be brought against any person for any matter or thing done in pursuance or execution of this act, but within the space of six months after such matter or thing shall have been done, 6 G. 4. c. 78. s. 37.

REVENUE.

1. To enable certain persons to receive and hold offices in the management, collection, and receipt of the revenue, without taking or subscribing certain oaths and declarations, 5 G. 4. c. 79. [REP. as to the customs from 5th July 1826, 6 G. 4. c. 105. s. 385.]

2. Whereas it is expedient that persons holding certain offices or places of trust or profit, in the management, collection, or receipt of any of the public revenues, should be enabled to receive, hold, use, and enjoy the same, without previously taking, making, or subscribing certain oaths and declarations: be it therefore enacted, That from and after the passing of this act [*viz.* 17th June 1824], it shall be lawful for any person, being H. M.'s subject, to have, hold, take, use, enjoy, and execute any of the offices of commissioners of customs excise, stamps, or taxes, or any of the offices concerned in the collection, management, or receipt of the revenues which are subject to the said commissioners, or any of the officers concerned in the collection, management, or receipt of the revenues subject to the authority of the postmaster-general, in any part of the U. K. of G. B. and Ire., without previously taking, making, or subscribing any declaration or any oath, except the oath of allegiance to H. M., his heirs and successors, and the oath for the due performance of the duties of such office or place, prescribed by any act or acts of parliament relating thereto; any thing in any acts passed in the parliament of Eng. or of G. B. or of Ire., or of the U. K. to the contrary in anywise notwithstanding, 5 G. 4. c. 79. s. 1.

3. To allow the averment of the order for the prosecution by commissioners of customs or excise to be sufficient proof of

the order having been made, 5 G. 4. c. 94. [REP. as to the customs from 5th July 1826, 6 G. 4. c. 105. s. 387.]

4. Whereas by 45 G. 3. [So printed in the act, but the title of the act intended to be quoted, and also the section, are agreeable to 56 G. 5. c. 104. s. 15.], persons were prohibited to commence, prosecute, enter, or file any action, bill, plaint, or information against any person for the recovery of any fine, penalty, or forfeiture incurred under any act relating to the revenues of customs or excise, or to issue any writ of appraisement for the condemnation of any ship, boat, or vessel, or any goods, wares, or merchandize whatsoever, seized as forfeited under such acts, unless the same were commenced, &c. by the commissioners of customs or excise, or in the name of the King's attorney-general, and whereas difficulties occur by reason of the necessity of proving, that the order for prosecution had been actually made; be it therefore enacted, That the statement, allegation, or averment of the fact in the information or complaint, or in any prosecution or proceeding for the recovery of any fine, penalty, or forfeiture incurred under any act of parliament, made or to be made relating to customs or excise, or for the condemnation of any ship, boat, or other vessel, or any horses, carts, or other carriages, or any other goods, chattels, wares, or merchandize whatsoever, seized as forfeited, or forfeited under such acts, that such information or complaint, or prosecution or other proceeding, is commenced, prosecuted, entered, or filed by order of the said commissioners of customs or excise respectively, shall be deemed and taken to be sufficient evidence throughout the U. K., that such prosecution, information, complaint, or other proceeding was commenced, prosecuted, entered, or filed by order of the said commissioners of customs or excise, without any other evidence of the fact, unless by other positive evidence the contrary shall be made to appear, 5 G. 4. c. 94.

SEA-MARKS.

Touching sea-marks, 8 El. c. 13. [In force, and AMD. 6 G. 4. c. 125., ss. 90, 91. See PILOTAGE, pl. 91, 92.]

SERJEANT AT LAW.

1. To enable such persons as H. M. may be pleased to call to the degree of a serjeant at law, to take upon themselves that office in vacation, 6 G. 4. c. 15.

2. Whereas it is expedient, whenever H. M. shall be pleased to issue a writ to call any person, being a barrister at law, to the degree of a serjeant at law, that such person should be enabled to take upon him that degree in vacation: be it enacted, That it shall and may be lawful

SERJEANT AT LAW.

for H. M., at any time before the commencement of the next Michaelmas term, and during any succeeding vacation, from time to time to cause a writ to be issued out of H. M.'s high court of chancery, directed to any such person, being a barrister at law, as H. M. shall think fit, returnable immediately in the said court, commanding such person to appear in the said court, and to take upon himself the state and dignity of a serjeant at law, and such person shall and may thereupon forthwith appear before the lord high-chancellor, lord keeper, or lords commissioners for the custody of the great seal for the time being, at such time and place as the said chancellor, keeper, or commissioners shall appoint; and such person so appearing, and taking the oaths usually administered to a serjeant at law, shall without any further act or ceremony be and be deemed and taken to be a serjeant at law, sworn to all intents and purposes, 6 G. 4. c. 95.

SEAMEN.

1. For regulating the number of apprentices to be taken on board *British* merchant-vessels; and for preventing the desertion of seamen therefrom, 4 G. 4. c. 25. [REP., except so far as it repeals any former act, from 5th July 1826, 6 G. 4. c. 105. s. 367.]

2. Whereas by 57 G. 5. c. 75. s. 4. [Stat. Dig. tit. SEAMEN, pl. 120.] it was enacted as therein mentioned; and whereas it is expedient to repeal the said provisions in respect to apprentices on board merchant-ships trading to H. M.'s colonies and plantations in the *West Indies*, and to make other provisions in lieu thereof; be it enacted, That so much of the said recited act as requires the master of any ship trading to H. M.'s colonies and plantations in the *West Indies*, to have on board an apprentice or apprentices, shall be repealed, 4 G. 4. c. 25. s. 1. [See SHIPPING; NAVIGATION.]

SERVANTS.

1. For the further and more adequate punishment of servants convicted of robbing their masters, 3 G. 4. c. 38. [See s. 1. MANSLAUGHTER; ss. 3, 4. ACCESSORIES.]

2. Whereas frequent depredations have of late been committed by clerks, apprentices, and servants, to the serious detriment and loss of their masters, mistresses, or employers; and it is expedient that such offenders, when entitled to benefit of clergy, should be made liable to a more severe punishment than can now by law be inflicted: it is therefore enacted, That from and after the passing of this act [24th June 1822], if any clerk, apprentice, or servant whatsoever, shall feloniously steal any goods, chattels, money, bond, bank-note, cheque upon a banker or bankers, draft, promissory-note for the payment of money, bill of exchange, or other valuable security or effects, from or belonging to, or in the possession, custody, or power of his, her, or their master or masters, mistress or mistresses, or employer or employers, and shall be lawfully convicted thereof, and be entitled to the benefit of clergy, then and in every such case, such offender or offenders, instead of being subjected to such punishment as may now by law be inflicted upon persons so convicted, and entitled to the benefit of clergy, may, at the discretion of the court by or before which he, she, or they shall be convicted, be ordered and adjudged to be transported beyond the seas for any term not exceeding 14 years, or to be imprisoned only, or to be imprisoned or kept to hard labour, in the common gaol, house of correction, or penitentiary house, for any term not exceeding three years, 3 G. 4. c. 38. s. 2.

SERVICES, PUBLIC.

1. To amend an act passed in the 50th year of His late Majesty, for directing that accounts of increase and diminution of public salaries, pensions, and allowances shall be annually laid before parliament, and for regulating and controlling the granting and paying such salaries, pensions, and allowances, 3 G. 4. c. 113. [AMD. 5 G. 4. c. 104., EXT. to clerks in the office of the clerk of the errors, 6 G. 4. c. 96. s. 3. ante, tit. ERROR.]

2. Whereas 50 G. 5. c. 117. [Stat. Dig. tit. SERVICES, PUBLIC, pl. 1.] was passed, intituled, *An Act to direct that accounts of increase and diminution of public salaries, pensions and allowances should be annually laid before parliament, and to regulate and control the granting and paying of such salaries, pensions, and allowances*: and whereas it is expedient that the superannuations allowed to be granted by the said recited act should in certain cases be reduced, and that further regulations should be made in relation thereto, and that a fund should be raised towards the payment of such superannuation allowances, by deduction from the salaries and emoluments of the persons holding situations entitling them to have such allowances granted to them; and it is expedient and necessary for carrying into execution the purposes aforesaid, that the 50 G. 5. c. 117. should be amended, as far as respects such superannuation allowances: be it enacted, That from and after the 5th July 1822, in lieu and instead of the several proportions of salaries and emoluments, which under the provisions of the said recited act are authorized to be granted as superannuation allowances, after the respective periods of service therein

specified, the proportions of such salaries and emoluments, and the respective periods of service after which the same may be granted as superannuation allowances, shall, after the said 5th July 1822, with such exception only as herein-after is authorized and directed, be as follows; that is to say, to any officer or person who shall have served for 10 years and upwards, and not exceeding 15 years, any annual allowance, not exceeding in amount four-twelfths of the annual salary and emoluments of his office or employment; for 15 years and upwards, and not exceeding 20 years, any such annual allowance, not exceeding in amount five-twelfths of the annual salary and emoluments of his office or employment; for 20 years and upwards, and not exceeding 25 years, any annual allowance not exceeding in amount six-twelfths of such salary and emoluments; for 25 years and upwards, and not exceeding 30 years, any annual allowance not exceeding in amount seven-twelfths of such salary and emoluments; for 30 years and upwards, and not exceeding 35 years, eight-twelfths of such salary and emoluments; for 35 years and upwards, and not exceeding 40 years, nine-twelfths of such salary and emoluments; for 40 years and upwards, and not exceeding 45 years, ten-twelfths of such salary and emoluments; for 45 years and upwards, and not exceeding 50 years, eleven-twelfths of such salary and emoluments; and to any officer or person who shall have served for 50 years and upwards, any annual allowance not exceeding the net amount of the salary and emoluments of his office or employment, after making a deduction therefrom equal in amount to the deduction or contribution to which such last-mentioned salary and emoluments is or are made liable for the purpose of creating a superannuation fund under the provisions of this act; and all such salaries and emoluments shall, for the purpose of estimating the amounts of superannuation allowances to be granted in respect thereof, be calculated upon the amount of the pecuniary emoluments made chargeable with the respective deductions and payments which are by this act required to be made for the creating the superannuation fund to be formed under the provisions thereof, 3 G. 4. c. 113. s. 1.

3. Provided, that no person to be hereafter superannuated under this act, shall claim or be allowed the benefit of any period of service after the 5th July 1822, except for the period during which such person may have contributed to the fund created and established by this act, unless the salary received by such person, during the period for which he did not contribute, was not of an amount which would, under the terms of this act, have subjected it to any contribution, 3 G. 4. c. 113. s. 2.

4. From and after the 5th July 1822, no superannuation allowance shall be granted by any public department whatever, other than under the authority of an order of H. M. in council, or by the commissioners of H. M.'s treasury of the U. K. of G. B. and Ire., or any three or more of them; any thing in the 50 G. 5. c. 117. to the contrary notwithstanding, 3 G. 4. c. 114. s. 3.

5. Provided, that it shall not be lawful to grant any such superannuation allowance to any officer who shall be under 65 years of age, unless upon certificates from the heads of the department to which any such officer shall belong, and from two medical practitioners, that he is incapable, from infirmity of mind or body, to discharge the duties of his situation, nor unless he shall have discharged the duties of his situation with diligence and fidelity, to the satisfaction of the head officers or head officer of the office or department to which he shall belong, to be certified by any two of such head officers (if there shall be more than one) or by such head officer (if only one); and in case the person claiming any such superannuation allowance shall himself be one of the head officers, or the head officer, then such superannuation allowance shall not be granted, unless he shall have discharged the duties of his situation with diligence and fidelity, to the satisfaction of the commissioners of the admiralty (if such head officer or person shall hold any office or situation under the controul of that department), and in all other cases to the satisfaction of the commissioners of the treasury; and the said commissioners of the admiralty and treasury respectively shall express such satisfaction in their minute recommending or directing the grant of any such superannuation allowance, 3 G. 4. c. 115. s. 4.

6. In any case in which it shall appear to the commissioners of H. M.'s treasury, that any special circumstances give to any officer a just claim to any amount of superannuation allowance not authorized by this act, or exceeding the allowance specified therein, with reference to the actual length of service of such officer, it shall be lawful for the commissioners of H. M.'s treasury, and they or any three or more of them are hereby authorized, to grant or to give authority for the granting of any special superannuation: provided, that the grounds upon which any such special superannuation shall be granted or authorized, shall be stated in the grant thereof, or the authority for granting the same, and also entered in the minutes of the treasury, and shall also be laid before parliament, within one month after the 5th Jan. in each year, if parliament shall be then sitting, or if not then sitting then within one month after the then next meeting of parliament, 3 G. 4. c. 115. s. 5.

7. An account shall be made up to the 5th Jan. in each year, specifying the total amount of superannuation allowances payable under the

Provisions of this act in each department, on the 5th Jan. in the preceding year, the name of every person receiving such allowance who may have died in the course of the year, together with the annual amount of the allowance which was payable to such person, and also the name of every person to whom a superannuation allowance may have been granted in the course of the year, and the annual amount of such allowance; and such account shall be laid before parliament on or before the 25th March in each year, if parliament shall be then sitting, or if not then sitting, then within one month after the then next sitting of parliament, 3 G. 4. c. 113. s. 6.

8. This act shall extend to all such civil offices and departments in the U. K. as are set forth and enumerated in the schedule to this act annexed, with such exceptions as are specified in the said schedule: provided, that it shall be lawful for the said commissioners of H. M.'s treasury, by any order or warrant signed by them, or any three or more of them, to add to the list of offices and departments enumerated in the schedule to this act, any other offices or departments which now exist or which may hereafter be created or established, and to place the same, and the officers and persons belonging thereto or employed therein, under the provisions of this act; provided, that in every such case the reasons for adding any such office or department shall be stated in such order or warrant, and a copy of every such order or warrant shall be laid before parliament within one month after the signing thereof, if parliament shall be then sitting, or if not then sitting, then within one month after the then next sitting of parliament; and all the provisions of this act, and all the powers, authorities, regulations, restrictions, and clauses therein contained, shall in every such case apply and be put in force as to every office and department so added as aforesaid to the list contained in the schedule to this act annexed, as fully and effectually, to all intents and purposes, as if the said offices or departments had been specified and enumerated in the said list, 3 G. 4. c. 113. s. 7.

9. Provided, that nothing in this act contained shall extend to, or authorize the adding to such list any offices held under military or naval commissions, entitling the officers or persons holding the same to half-pay; or any military or naval allowances in lieu of or in addition to half-pay, allowed, granted, or paid, or which may hereafter be granted or paid, under the regulations of any order of H. M. in council, to any persons who may have served in H. M.'s army, navy, or ordnance; or to any officers in any of H. M.'s courts at Westminster or Dublin, or any other of H. M.'s courts of justice elsewhere; or to any of the principal officers of H. M.'s receipt of the exchequer, whose offices are or may hereafter be directed to be abolished or regulated upon the termination of the existing interests therein; or to any offices in relation to which the granting of any allowances for past service has been specially regulated by any act of parliament made for the special regulation of any such allowance; or to any offices held as sinecures, or executed principally by deputy, 3 G. 4. c. 113. s. 8.

10. From and after the passing of this act all such parts of the 3 G. 4. c. 113. [see ss. 9-22.], as charge the salaries and emoluments of persons to whom superannuation allowances may be granted under that act, with any deductions or payment by way of contribution for the purpose of creating, raising, and maintaining a superannuation fund towards the payment of such superannuation allowances, and all regulations and provisions whatever relative to such deductions or payments, or to the management thereof, and also all such parts of the said act as charge the funds of public departments or offices with one moiety only of such superannuation allowances as may be granted to any officers or persons serving therein, or belonging thereto, shall be repealed, 5 G. 4. c. 104. s. 1.

11. From and after the passing of this act [24th June 1824], the whole of every such superannuation allowance, as may have been or may be granted under the provisions of the recited act, shall be charged upon and made payable out of the funds of the respective departments or offices in which the persons receiving such allowances shall have served, in such and the same manner as the moieties of such superannuation allowances are, by the same act, charged and made payable, 5 G. 4. c. 104. s. 2.

12. All sums of money which, under the provisions of the recited act, shall have been contributed and paid by, or which shall have been deducted from the salaries or emoluments of any such officers or persons, shall be repaid to all such officers and persons, or to the executors or administrators of such of them as may be deceased, in such manner and form as the commissioners of the treasury, shall from time to time direct; and the commissioners for the reduction of the national debt and the heads of all offices and departments shall duly observe and perform all such orders, rules, and regulations, as the commissioners of the treasury may from time to time prescribe for their guidance, in repaying to the several officers or persons aforesaid, or the executors or administrators of such of them as may be deceased, all such sums of money as

they may be respectively entitled to receive under this act, 5 G. 4. c. 104. s. 3.

13. Provided, that in case the person who shall at the time of the passing of this act [5th Aug. 1822], hold any office in respect of which any allowance is authorized to be granted under 57 G. 3. c. 67. [Stat. Dig. tit. OFFICE, &c. pl. 81.], intituled, *An Act to enable H. M. to recompense the services of persons holding or who have held certain high and efficient civil offices*, and who shall at any time previously to his appointment to such office have held any other office or offices, or situation or situations, in respect of which any superannuation allowance might have been granted for service therein, under the provisions of the 50 G. 3. c. 117.; and in case such person shall, within six months after the passing of this act, signify his desire to the head or heads of the department to which he shall belong, to contribute to the superannuation fund to be created under this act, and who shall thereupon contribute to such fund from the 5th July 1822, in manner in this act directed, then and in every such case the person so contributing shall be entitled to reckon the period of his former services, together with that of his service in the office held at the time of the passing of this act, and may, in pursuance thereof, be entitled to receive such amount of superannuation allowance as is authorized by this act; provided, that in every case in which any such officer or person shall retire from or quit any such office, under any circumstances which will not authorize the grant of any superannuation allowance under the provisions of this act, such officer or person shall be entitled to a return of all money deducted from and contributed by him under this act, but without any interest thereon, 3 G. 4. c. 113. s. 9. [REF. *qu.* 5 G. 4. c. 104. s. 1. *ante*, pl. 10.]

14. All salaries and emoluments of officers and persons to whom superannuation allowances may be granted under this act shall be charged with such deductions and payments as are herein-after specified, in proportion to the annual amount of the salary and emoluments of each office or employment; (that is to say), upon and in respect of any office or employment, the salary and emoluments of which shall in the whole amount to 100*l.* and be less than 200*l.* *per annum*, a deduction at and after the rate of 2*l.* 10*s.* *per cent. per annum* upon the amount of such salary and emoluments; and upon and in respect of every office or employment, the salary and emoluments of which shall amount to 200*l.* *per annum* and upwards, a deduction at and after the rate of 5*l.* *per cent. per annum* upon so much of the salary and emoluments of the person holding any such office or employment as may have been or may hereafter be fixed or authorized as the future and permanent salary and emoluments of any such office or employment, according to any regulations heretofore, or which may hereafter be sanctioned by parliament, or which may be made by H. M. in council, or by the commissioners of H. M.'s treasury, for the department in or to which any such office or employment may belong; and a deduction at and after the rate of 10*l.* *per cent. per annum* upon any excess of salary and emoluments which any such officer or person, now holding and executing the duties of such office or employment, may be allowed to continue to receive, and be in the receipt of, in respect of any such office or employment, beyond the amount of salary and emolument which may have been or may be so fixed and regulated as aforesaid, as the future and permanent salary of such office or employment; and all such charges, deductions, and payments shall be made upon the amount of salary and emoluments received in the proportions herein-before mentioned, and shall go to and be applied in the creating, raising, and maintaining a superannuation fund, under this act; and all such deductions and payments respectively shall commence and take effect from and after the 5th July 1822, 3 G. 4. c. 113. s. 10. [REF. *ante*, pl. 10.]

15. If any person shall hold two or more offices giving a claim to a superannuation allowance, the amount of contribution to be paid by such person shall be estimated upon the total amount of the salaries and emoluments received by such person in respect of both or all of such offices, 5 G. 4. c. 113. s. 11. [REF. *ante*, pl. 10.]

16. All such charges upon and in respect of the salaries and emoluments of any office or employment, or upon any officer or person required by this act to contribute to the creating, raising, and maintaining the superannuation fund to be created and raised under this act, shall be deducted by the respective officers in each department who shall pay such salaries, and shall be accounted for and paid over in such manner, and at such times, and upon such orders and vouchers for the deduction and payment thereof, as shall be from time to time established in any such department, with the sanction of the commissioners of H. M.'s treasury, or any three or more of them, in relation thereto; and all such charges as may arise upon any emoluments of any office or employment, not being in the nature of salary, but derived from fees, perquisites, or any other sources of emolument, shall be accounted for and paid in each quarter to some officer or person in such department; and all such payments shall be made, and such vouchers given in respect thereof, and shall be accounted for and paid over by the person receiving the same, in such manner, and under such rules and regulations as shall

be established in that behalf in the department in which the same shall be received, with the approbation of the commissioners of the treasury, or any three or more of them, 3 G. 4. c. 113. s. 12. [REP. ante, pl. 10.]

17. Provided, that it shall be lawful for the person at the head of any department in which any fees, perquisites, or other sources of profit, may form part of the emolument of any office in such department, to take with the approbation of the commissioners of H. M.'s treasury, or any three or more of them, a sum not exceeding the average amount of such emoluments for three preceding years, and fix the amount to be paid towards the superannuation fund in respect thereof, upon a sum not exceeding such average; and in every such case the amount of payment so fixed shall be deducted from any salary received by the person holding such office or employment, and accounted for and paid over to the superannuation fund in manner directed by this act as to deductions from salaries, 3 G. 4. c. 113. s. 13. [REP. ante, pl. 10.]

18. Provided, that in every case in which any person who shall have contributed, by deductions or payment towards the superannuation fund established by this act, shall die while holding any office or employment, or offices or employments, in respect of which any such deduction or payment shall have been made, the aggregate and full amount of the principal sum of all deductions and payments which shall have been made from or by any such person, in respect of any office or employment, or offices or employments which may have been held by any such person as aforesaid, but without any interest thereupon, shall be deemed part of the personal estate or property of the person so dying, and shall be devisable as such, or distributed, in case no devise shall be made thereof, as personal estate; and the amount thereof shall be ascertained and certified by the head officers or head officer of the department or departments in which such deductions or payments shall have been made, within six months after the death of the person so dying, and paid to the executors or administrators of such person out of the superannuation fund established under this act, in such manner as shall be established by any regulation which may be made from time to time by the commissioners of H. M.'s treasury, or any three or more of them, in that behalf; provided also, that in case any person who may have contributed to the same superannuation fund shall die after his resignation or removal from any office, in respect of which he may have contributed to the said fund, and without having received any allowance therefrom, it shall be lawful for the commissioners of H. M.'s treasury, if they shall think fit under the circumstances of the case, to direct the aggregate amount of the deductions and payments which may have been made from or by such person to be repaid as aforesaid to his executors or administrators, 3 G. 4. c. 113. s. 14. [REP. ante, pl. 10.]

19. In every case in which any allowance hath been or shall hereafter be granted to any person upon retirement from any office or employment, in any case in which the office or employment shall be upon such retirement abolished, or in which any arrangement shall have been or shall be made upon any such retirement, producing a saving upon the establishment of the department in which such office or employment shall belong, equal to or exceeding the allowance granted upon such retirement, such allowance shall be considered as a compensation allowance upon abolition of office, and shall be paid wholly out of the funds of the department to which the person so retiring shall have belonged, and no part thereof shall be charged upon or paid out of the superannuation fund established under this act, 3 G. 4. c. 113. s. 15. [REP. ante, pl. 10.]

20. One moiety of all superannuation allowances which shall be granted from and after 5th July 1822, shall be paid in the respective offices and departments in like manner, and out of such and the like funds as heretofore, and the remaining moiety of all such superannuation allowances shall be paid out of the sums deducted and contributed under the regulations of this act, for the payment of superannuations, and for forming the superannuation fund to be created and established in pursuance thereof; and the surplus of the money so deducted and contributed (if any shall remain after payment of such last-mentioned moiety) shall be paid by the officers or persons respectively who shall receive such contributions in G. B., into the bank of Eng., and by such officers or persons respectively as shall receive such contributions in Ire., into the bank of Ire.; and the cashier or cashiers of the said banks of Eng. and Ire. respectively are hereby required to receive all such sums of money, and to place them in new and separate accounts, to be raised in the books of the governor and company of the bank of Eng., in the names of the commissioners for the reduction of the national debt, and in the books of the governor and company of the bank of Ire., in the name of the vice-treasurer of Ire. for the time being, under the title or denomination of "The General Superannuation Fund," of the public civil departments of government, established pursuant to an act passed in the third year of the reign of H. M. King George the Fourth, 3 G. 4. c. 113. s. 16. [REP. ante, pl. 10.]

21. The head officers or head officer (in case there shall be only one)

of every office or department wherein any superannuation allowance shall be payable under this act, shall, within 30 days after the expiration of every quarter of a year, transmit or cause to be transmitted, in duplicate, to the commissioners of H. M.'s treasury, a statement, containing the aggregate amount of all salaries, allowances, fees, or other emoluments, payable in respect of the preceding quarter, to the several persons employed in such department, and subject to deduction or contribution for the purposes of this act, and also containing the aggregate amount of the sums deducted or contributed therefrom, in respect of such quarter, and also containing the aggregate amount of the superannuation allowances payable in respect of the same quarter in such department, distinguishing such superannuation allowances as shall have been granted subsequently to 5th July 1822; and every such statement shall be according to such form or forms, and under such regulations as shall from time to time be directed or approved by the commissioners of H. M.'s treasury, or any three or more of them, for the time being; one of which duplicate statements shall, as soon as conveniently may be after the same shall be received by the commissioners of H. M.'s treasury, be transmitted to the office of the said commissioners for the reduction of the national debt in Eng., and to the vice-treasurer in Ire., 3 G. 4. c. 113. s. 17. [REP. ante, pl. 10.]

22. In case and whenever the aggregate amount of superannuation allowances payable in any quarter of the year, in any office or department, and which shall have been granted subsequently to the 5th July 1822, shall exceed the aggregate amounts of the sum payable by virtue of this act out of the public funds of the said office or department, and also of the sums to be deducted or contributed from the salaries and emoluments of the respective officers or persons employed therein, taken together, then and in every such case the commissioners of H. M.'s treasury shall, by warrant under the hands of any three or more of them, authorize and empower the head officers, if more than one, or in cases where there shall be only one, then the head officer of every such office or department wherein any such excess shall occur, to draw upon the commissioners for the reduction of the national debt in Eng., or upon the vice-treasurer in Ire., as the case may require, for the amount thereof, and shall also, by another warrant under the hands of any three or more of them, authorize the said last-mentioned commissioners and vice-treasurer respectively, to issue or pay to the proper officer of such office or department, out of the general superannuation fund under their management, the amount of such excess; and in every such case it shall be lawful for such head officers or head officer, by any draft or writing under the hands of not less than two of such head officers (if more than one), or under the hand of such head officer (where there shall be only one), attested by two or more credible witnesses, to draw upon the commissioners for the reduction of the national debt in Eng., or upon the vice-treasurer in Ire., as the case may require, for such a sum of money as shall be necessary to provide for the said excess in the aggregate amount of such superannuation allowances payable in respect of such quarter in the said office or department, over and above the aggregate amounts of the said respective sums by this act made applicable in such quarter to the payment thereof; and every such draft shall be drawn in such form as the commissioners of H. M.'s treasury, or any three or more of them for the time being, shall from time to time direct or approve, and shall be made payable to such person or persons as shall be specially appointed for the purpose in such office or department, in the manner herein-after directed; and the controller-general or other chief officer of the said office of the commissioners for the reduction of the national debt or his assistant in Eng., and such officer as shall be specially appointed for that purpose in the office of the vice-treasurer in Ire., shall within seven days after the receipt of any such draft respectively, indorse thereupon an order under his hand, and in such form as shall from time to time be directed by the commissioners for the reduction of the national debt in Eng., and the vice-treasurer in Ire. respectively, with the approbation of the commissioners of H. M.'s treasury, or any three or more of them, for the payment of the sum mentioned in the said draft; and every order for the payment of any such draft, if in Eng., shall be countersigned by the principal accountant of the cheque department in the office of the said commissioners for the reduction of the national debt or his chief clerk, and in Ire. by such officer or officers as shall be appointed by the commissioners of H. M.'s treasury, or any three or more of them, for that purpose, who is and are hereby respectively required to make an entry of every such draft, and of the order thereupon, in books to be kept in the said respective offices of the commissioners for the reduction of the national debt in Eng., and of the vice-treasurer in Ire. for that purpose; and such orders respectively shall be addressed to the cashiers of the governor and company of the bank of Eng., or of the bank of Ire., as the case may require; and such cashiers or one of them shall, upon the production of such drafts and orders, pay the sums specified and directed therein respectively to the person or persons named therein, whose receipt or receipts shall be a sufficient discharge to the respective governors and companies of

the banks of *Eng.* and *Ire.*, and also to the commissioners for the reduction of the national debt and the vice-treasurer of *Ire.* respectively; and every sum of money which shall be received in pursuance of any such drafts and orders as aforesaid, shall be paid and applied in discharge of the superannuation allowances in the office or department in respect whereof such drafts and orders shall be drawn, 3 G. 4. c. 113. s. 18. [REP., ante, pl. 10.]

23. Before any such draft as aforesaid shall be drawn by the head officers or head officer (as the case may be) of any office or department, upon the commissioners for the reduction of the national debt in *Eng.*, or upon the vice-treasurer in *Ire.*, for any sum of money required for the payment of any superannuation allowances under this act, such head officers, or head officer (where there shall be only one) of every such department, shall, by some deed or instrument, under the hands and seals of two or more of them (if more than one), or under the hand and seals of such head officer (where there shall be only one), and attested by two credible witnesses, nominate and appoint some person or persons, who shall be then serving or employed in such department, to receive such sum of money as shall from time to time be payable at the banks of *Eng.* or *Ire.* respectively, under any orders of the controller-general, or other chief officer in the office of the commissioners for the reduction of the national debt in *Eng.* for his assistant, or of the person appointed for that purpose in the office of the vice-treasurer in *Ire.*; and every such deed or instrument shall in *Eng.* be produced and deposited in the office of the said last-mentioned commissioners, and in *Ire.* at and in the office of the vice-treasurer there, seven days at least before any order shall be issued from the said offices respectively for the payment to the person or persons therein named, of any sum of money on account of such department: provided, that it shall be lawful for the head officers or head officer for the time being of any office or department wherein any such appointment shall have been made, from time to time as often as they or he shall think fit and circumstances may require, by any deed or instrument to be executed and attested as herein-before is directed, to revoke any such nomination or appointment as aforesaid, which shall have been made either by themselves or himself, or by any of their or his predecessors or predecessor in the office, and by the same deed or instrument to make any new appointment for the purposes and in the manner herein-before directed; and every such new appointment shall, from the time to be specified therein, supersede the appointment then in force, and shall from time to time, as the case may require, be produced at and deposited in the respective offices of the commissioners for the reduction of the national debt in *Eng.*, or of the vice-treasurer in *Ire.*, in the manner herein-before directed, 3 G. 4. c. 113. s. 19. [REP., ante, pl. 10.]

24. After satisfying the claims to which the said general superannuation fund shall or may, under this act, be subject at the end of every quarter of a year, the surplus (if any) which shall be remaining of the said fund at the bank of *Eng.* or bank of *Ire.*, shall be invested by or under the directions of the said commissioners for the reduction of the national debt in *Eng.*, and by or under the directions of the vice-treasurer in *Ire.*, in some of the public annuities payable at the bank of *Eng.* or *Ire.* respectively, or in exchequer bills, as the said commissioners or vice-treasurer respectively shall deem most expedient; and the dividends or interest arising therefrom shall be carried to and form part of the said general superannuation fund, standing in the names of the commissioners for the reduction of the national debt at the bank of *Eng.*, or in the name of the vice-treasurer of *Ire.* at the bank of *Ire.*; and so much of the said dividends or interest as shall not be required to be issued in discharge of any such drafts as aforesaid, under this act, shall from time to time be laid out and invested, by or under the direction of the said commissioners and vice-treasurer respectively, in like public annuities or exchequer bills, for the accumulation and increase of the said general fund, in the same manner as such surplus monies are herein directed to be laid out and invested; and in case there shall at any time be a deficiency of uninvested monies remaining in the names or name, and to the credit of the accounts of the said commissioners or vice-treasurer, in the books of the governors and companies of the banks of *Eng.* or *Ire.* respectively, to answer the drafts drawn upon the said commissioners or vice-treasurer respectively, under this act, then and in every such case it shall be lawful for the said commissioners and vice-treasurer respectively, to cause so much of the respective public annuities or exchequer bills standing in their names on account of the general superannuation fund as may be necessary, to be sold out and disposed of, and to apply the monies to arise and be produced by such sale or sales for the purpose of making good such deficiency, 3 G. 4. c. 113. s. 20. [REP., ante, pl. 10.]

25. The vice-treasurer of *Ire.* shall from time to time, whenever required so to do by the commissioners of H. M.'s treasury or any three or more of them, transmit accounts of the execution of this act, and of

all matters and things relating thereto, in his execution of the powers thereof, in such manner and form, and containing such particulars, as shall from time to time be specified in that behalf by the commissioners of H. M.'s treasury, or any three or more of them, 3 G. 4. c. 113. s. 21. [REP., ante, pl. 10.]

26. No appointment, certificate, order, or receipt, made or given under this act, shall be liable to any stamp duty whatever, 3 G. 4. c. 113. s. 22. [REP., ante, pl. 10.]

27. If any person or persons shall forge, counterfeit, or alter, or cause or procure to be forged, counterfeited, or altered, or knowingly or wilfully act or assist in forging, counterfeiting, or altering, any certificate or certificates, or any order or orders for any payment to be made under this act, or any appointment or appointments to be made under this act, or any of them, or any receipt or receipts to be given by the cashier or cashiers of the bank of *Eng.* or bank of *Ire.* in pursuance of this act, or shall wilfully utter or deliver any such forged, counterfeited, or altered certificate, order, appointment, or receipt, to any person or persons in the execution of the powers of this act, or shall utter any such forged, counterfeited, or altered certificate, order, appointment, or receipt, knowing the same to be forged, counterfeited, or altered, with intent to defraud H. M., his heirs or successors, or any body or bodies politic or corporate, or any person or persons whomsoever, then and in every such case all and every person or persons so offending, and being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as a felon without benefit of clergy, 3 G. 4. c. 113. s. 23.

SCHEDULE referred to in 3 G. 4. c. 113. s. 7. pl. 8.

OFFICES OR DEPARTMENTS.	EXCEPTIONS.
Treasury - - -	Lords of the Treasury and Two Joint Secretaries.
Office of Vice-Treasurer in <i>Ireland</i> -	The Vice-Treasurer.
Office of Privy Council, <i>Great Britain</i> and <i>Ireland</i> - - -	President of the Council.
Office of Committee for Trade -	Vice-President of the Board of Trade.
Offices of Secretaries of State -	Principal and Under Secretaries of State, subject to the Provisions of the Act with respect to Persons already appointed Under Secretaries.
Office of Secretary for <i>Ireland</i> -	The Chief Secretary.
Alien Office.	
State Paper Office.	
Office of Registrar of Slaves.	
Police Offices in <i>London</i> and <i>Middlesex</i> , and Borough of <i>Southwark</i> .	
Commander in Chief's Office -	Commander in Chief and his Secretary.
Quarter Master General's Office -	Officers acting under Military Commissions.
Adjutant General's Office -	Do.
War Office - - -	Secretary at War.
Army Medical Board.	
Board of General Officers -	Officers acting under Military Commissions.
Officers and Servants of the Royal Military College - - -	Officers or others holding Military Commissions and entitled to Half Pay.
Officers and Servants of the Royal Military Asylum - - -	
Judge Advocate General's Office -	
Army Pay Office - - -	Judge Advocate General.
	Paymaster General.
	Master General.
	Lieutenant General.
	Surveyor General.
	Clerk of the Ordnance.
Ordnance Office - - -	Clerk of the Cheque, and Principal Storekeeper.
	Secretary to Master General, and all Persons holding their Situations by Military Commissions.
	Treasurer of the Ordnance.
Barrack Office - - -	Persons who being Military Officers may be entitled to Full or Half Pay as such.
<i>Chelsea</i> and <i>Kilmainham</i> Hospitals -	
Royal Military College - - -	
Royal Military Asylum - - -	
Admiralty - - -	Lords of the Admiralty.
	Secretary.
	Second Secretary.
Navy Office.	
Navy Pay Office - - -	The Treasurer.
Royal Marine Pay Office.	

9. And whereas it might tend to the advantage of *British* vessels arriving in foreign ports, if power was given to H. M. to exempt foreign vessels of less burthen than 60 tons from the obligation of taking on board pilots to conduct them into or from the ports of the U. K., in all cases in which *British* vessels of less burthen than 60 tons are not required by law to take pilots; be it therefore enacted, That from and after the passing of this act [18th July 1823], it shall be lawful for H. M., by and with the advice of his privy council, or by an order or orders in council, in all such cases aforesaid, to exempt foreign vessels, being of less burthen than 60 tons, from taking on board a pilot to conduct them into or from any of the ports of the U. K., 4 G. 4 c. 77. s. 5. [See 6 G. 4. c. 125. s. 60., PILOTAGE, pl. 61.]

10. A copy of every order in council which may be issued under the authority of this act shall be laid before parliament as soon after the issuing thereof as may be practicable, if parliament shall be sitting, and if it shall not then be sitting, within 30 days after the meeting thereof, 4 G. 4 c. 77. s. 6.

SHIPPING (BRITISH).

11. For the registering of vessels, 4 G. 4. c. 41. [REP. from the 5th July 1826, except so far as it repeals any other act, 6 G. 4. c. 105. s. 371.]

12. Whereas the wealth and strength of this kingdom, and the prosperity and safety of every part of the *British* empire, greatly depend on the encouragement given to shipping and navigation: and whereas divers acts have from time to time been passed for the purpose of confining to ships wholly built in H. M.'s dominions the advantages which were formerly given by the legislature to ships owned and navigated by H. M.'s subjects, and for that purpose divers regulations have from time to time been made, for the registering of and the transferring of the property in such ships; which regulations have been found in some respects ineffectual, and in others inconvenient: and whereas the object of the legislature in passing the said several acts may be more effectually attained by repealing the same, and by comprising and consolidating in one act the several provisions contained therein, but varied and altered in some respects; be it therefore enacted, That from 31st Dec. 1823, so much of 7 & 8 W. 3. c. 22. ss. 17—21., intituled, *An Act for preventing frauds and regulating abuses in the plantation trade*, as relates in any way to the registering of ships and vessels; and also so much of 15 G. 2. c. 31. ss. 1—3., intituled, *An Act for further regulating the plantation trade, and for relief of merchants importing prize goods from America, and for preventing collusive captures there; and for obliging the claimers of vessels seized for exportation of wool, or any unlawful importation, to give security for costs; and for allowing E. I. goods to be taken out of warehouses in order to be cleaned and refreshed*, as relates in any way to the proof to be given that the ship or vessel belongs to *British* subjects, before the same is permitted to trade; and as relates to the liberty to be given to trade where the certificate of the registry hath been lost; and as relates to the registering of a ship or vessel *de novo*; and also the whole of 26 G. 3. c. 60., intituled, *An Act for the further increase and encouragement of shipping and navigation*; and also so much of 27 G. 3. c. 19. ss. 1—9. 13., intituled, *An Act to enforce and render more effectual several acts passed in the 12th year of the reign of King Charles the Second, and other acts made for the increase and encouragement of shipping and navigation*, as relates in any way to the registering of ships or vessels; and also so much of 28 G. 3. c. 34. ss. 13, 14., intituled, *An Act more effectually to secure the performance of quarantine, and for amending several laws relating to the revenue of customs*, as relates to masters of ships or vessels detaining the certificates of registry of the same; and also so much of 34 G. 3. c. 68. ss. 14—22., intituled, *An Act for the further encouragement of British mariners, and for other purposes therein mentioned*, as relates to the transfer or contract, or agreement for transfer, and the alteration of property in any ship or vessel, and as relates to the certificate of registry being withheld or detained by the master of the ship or vessel, and as relates to the registering a ship or vessel *de novo*, under the several circumstances therein mentioned; and also the whole of 48 G. 3. c. 70., intituled, *An Act to provide that British ships which shall be captured by the enemy, and shall afterwards become the property of British subjects, shall not be entitled to the privileges of British ships*; and also the whole of 49 G. 3. c. 41., intituled, *An Act to amend an act made in the 48th year of His present Majesty, to provide that British ships captured by the enemy, becoming the property of British subjects, shall not be entitled to the privileges of British ships*; and also so much of 55 G. 3. c. 116. ss. 1—5., intituled, *An Act to make further regulations for the registry of ships built in India*, as relates in any way to the registering of ships or vessels in *India*; and also the whole of 59 G. 3. c. 5., intituled, *An Act to ascertain the tonnage of vessels propelled by steam*; and also so much of 1 G. 4. c. 9. ss. 1—4., intituled, *An Act for*

granting the privileges of British ships to vessels built at Malta, Gibraltar, and Heligoland, and certain of those privileges to vessels built in the British settlements at Honduras, as relates to the registering of ships or vessels at *Malta, Gibraltar, and Heligoland*; and also all and every other act [54 G. 3. c. 59.], or so much of any other act, passed in G. B. or in Ire., as relates in any way to the registering of ships and vessels; shall be and the same are hereby respectively repealed, 4 G. 4. c. 41. s. 1. [And 7 & 8 W. 3. c. 22., 15 G. 2. c. 31., 28 G. 3. c. 34., (see tit. QUARANTINE), and 34 G. 4. c. 68. are further REP. as to customs by 6 G. 4. c. 105.; see post, tit. STATUTES.]

13. For the registering of *British* vessels, 6 G. 4. c. 110. [See, as to vessels *British*-owned, and built at *Honduras* in *Yucatan*, how far entitled to the privileges of *British* ships, 1 G. 4. c. 9. ss. 5, 6., and as to ships registered in *India*, 4 G. 4. c. 80. s. 19. (ante, tit. EAST INDIA COMPANY, pl. 146.) Ships built within the limits of the Co.'s charter prior to 1st Jan. 1816, and then and thence hitherto *British*-owned, deemed *British* ships, 6 G. 4. c. 114. s. 77. (ante, tit. NAVIGATION, pl. 145.) It has been seen that the 4 G. 4. c. 41. repealed the 1 G. 4. c. 9. ss. 1—4., and all other acts relating to the registering of ships;—*Qu.* are ss. 5, 6. thereby repealed? The 4 G. 4. c. 80. is neither wholly or partially repealed by 6 G. 4. c. 105., it is therefore in force.]

14. Whereas 6 G. 4. c. 105. [post, tit. STATUTES] was passed, intituled, *An Act to repeal the several laws relating to the customs*, in which it is declared, that the laws of the customs have become intricate by reason of the great number of acts relating thereto which have been passed through a long series of years; and that it is therefore highly expedient for the interest of commerce and the ends of justice, and also for affording convenience and facility to all persons who may be subject to the operation of those laws, or who may be authorized to act in the execution thereof, that all the statutes now in force relating to the customs should be repealed, and that the purposes for which they have from time to time been made should be secured by new enactments, exhibiting more perspicuously and compendiously the various provisions contained in them: and whereas by the said act all the laws relating to the registering of *British* vessels will be repealed; and it is expedient to make regulations for the registering of such ships and vessels, after such repeal shall have effect; be it therefore enacted, That from and after 5th Jan. 1826, this act shall come into and be and continue in full force and operation for the registering of *British* vessels, except where any other commencement is herein-after particularly directed, 6 G. 4. c. 110. s. 1.

15. No ship or vessel shall be entitled to any of the privileges or advantages of a *British* registered ship, until the person claiming property therein shall have caused the same to be registered in manner herein-after mentioned, and shall have obtained a certificate of such registry from the person or persons authorized to make such registry, and grant such certificate as herein-after directed; the form of which certificate shall be as follows; *videlicet*,

‘ This is to certify, that in pursuance of an act passed in the sixth year of the reign of King George the Fourth, intituled, *An Act* [here insert the title of this act, the names, occupation, and residence of the subscribing owners], having taken and subscribed the oath required by this act, and having sworn that [he or they] together with [names, occupations, and residence of non-subscribing owners] [is or are] sole owner or owners, in the proportions specified on the back hereof, of the ship or vessel called the [ship's name] of [place to which the vessel belongs], which is of the burthen of [number of tons], and whereof [master's name] is master, and that the said ship or vessel was [when and where built, or condemned as prize, referring to builder's certificate, judge's certificate, or certificate of last registry, then delivered up to be cancelled], and [name and employment of surveying officer] having certified to us that the said ship or vessel has [number] decks and [number] masts, that her length from the fore part of the main stem to the after part of the stern post aloft is [number of feet and inches], her breadth at the broadest part [stating whether that be above or below the main-wales] is [number of feet and inches], her [height between decks, if more than one deck, or depth in the hold, if only one deck] is [number of feet and inches], that she is [how rigged] rigged with a [standing or running] bowsprit, is, [description of stern] sterned, [carvel or clinker] built, has [whether any or no] gallery, and [kind of head, if any] head; and the said subscribing owners having consented and agreed to the above description, and having caused sufficient security to be given, as is required by the said act, the said ship or vessel called the [name] has been duly registered at the port of [name of port]. Certified under our hands at the Custom-house, in the said port of [name of port] this [date] day of [name of month] in the year [words at length].

‘ [Signed]
‘ [Signed]

Collector.
Controller.’

And on the back of such certificate of registry there shall be an account of the parts or shares held by each of the owners mentioned and described in such certificate, in the form and manner following:

Names of the several owners within mentioned.	Number of sixty-fourth shares held by each owner.
' [Name _____]	Thirty-two.
' [Name _____]	Sixteen.
' [Name _____]	Eight.
' [Name _____]	Eight.]
	' [Signed] Collector.
	' [Signed] Controller.'

6 G.4. c.110. s.2.

16. The persons authorized and required to make such registry and grant such certificates shall be the collector and controller of customs in any port in the U.K. of *G.B.* and *Ire.* and in the *Isle of Man* respectively, in respect of ships or vessels to be there registered; and the principal officers of customs in the island of *Guernsey* or *Jersey*, together with the governor, lieutenant-governor, or commander-in-chief of those islands respectively, in respect of ships or vessels to be there registered; and the collector and controller of customs of any port in the colonies, plantations, islands, and territories to H. M. belonging in *Asia*, *Africa*, and *America*, together with the governor, lieutenant-governor, or commander-in-chief of such colonies, plantations, islands, and territories respectively, in respect of ships or vessels to be there registered; and the collector of duties at any port in the territories under the government of the *E. I. C.*, and other territories belonging to H. M. within the limits of the charter of the said Co., payable to the said Co., or any other person of the rank in the said Co.'s service of senior merchant, or of six years standing in the said service, being respectively appointed to act in the execution of this act, by any of the governments of the said Co. in *India*, in any ports in which there shall be no collector and controller of customs, in respect of ships or vessels to be there registered; and the governor, lieutenant-governor, or commander-in-chief of *Malta*, *Gibraltar*, *Heligoland*, and *Cape of Good Hope* respectively, in respect of ships or vessels to be there registered: provided, that no ship or vessel shall be registered at *Malta*, *Gibraltar*, or *Heligoland*, except such as are wholly of the built of those places respectively, and such ships or vessels shall not be registered elsewhere; and that such ships or vessels so registered shall not be entitled to the privileges and advantages of *British* ships in any trade between the said U.K. and any of the colonies, plantations, islands, or territories in *America* to H. M. belonging: provided also, that wherever in and by this act it is directed or provided that any act, matter, or thing shall and may be done, or performed by, to, or with any collector and controller of H. M.'s customs, the same shall or may be done or performed by, to, or with the principal officers of customs in the islands of *Guernsey* or *Jersey*, together with the governor, lieutenant-governor, or commander-in-chief of those islands respectively, and also by, to, or with such collector or other person in *India* in the service of the *E. I. C.* as aforesaid, and also by, to, or with the governor, lieutenant-governor, or commander-in-chief of *Malta*, *Gibraltar*, *Heligoland*, or *Cape of Good Hope*, and according as the same act, matter, or thing is to be done or performed at the said several and respective places, and within the jurisdiction of the said several persons respectively: provided also, that wherever in and by this act it is directed or provided that any act, matter, or thing shall or may be done or performed by, to, or with the commissioners of H. M.'s customs, the same shall or may be done or performed by, to, or with the said commissioners, or any two or more of them, in *Eng.*, *Ire.*, or *Scot.* respectively, and also by, to, or with the governor, lieutenant-governor, or commander-in-chief of any place where any ship or vessel may be registered under the authority of this act, so far as such act, matter, or thing can be applicable to the registering of any ship or vessel at such place, 6 G.4. c.110. s.3.

17. In case any ship or vessel, not being duly registered, and not having obtained such certificate of registry as aforesaid, shall exercise any of the privileges of a *British* ship, the same shall be subject to forfeiture, and also all the guns, furniture, ammunition, tackle, and apparel to the same ship or vessel belonging, and shall and may be seized by any officer or officers of customs: provided, that nothing in this act shall extend or be construed to extend to affect the privileges of any ship or vessel which shall have been registered by virtue of any act which was or were in force for the registry of *British* ships and granting certificates thereof prior to the 31st Dec. 1823, or by virtue of any act which was in force at the time of the commencement of this act [5th July 1825], until such time as such ships or vessels shall be required by this act to be registered *de novo* under the regulations thereof, 6 G.4. c.110. s.4.

18. No ship or vessel shall be registered, or having been registered, shall be deemed to be duly registered by virtue of this act, except such as are wholly of the built of the said U.K., or of the *Isle of Man*, or of

the islands of *Guernsey* or *Jersey*, or of some of the colonies, plantations, islands, or territories in *Asia*, *Africa*, or *America*, or of *Malta*, *Gibraltar*, or *Heligoland*, which belong to H. M. at the time of the building of such ships or vessels, or such ships or vessels as shall have been condemned in any court of admiralty as prize of war, or such ships or vessels as shall have been condemned in any competent court as forfeited for the breach of the laws made for the prevention of the slave-trade, and which shall wholly belong and continue wholly to belong to H. M.'s subjects, duly entitled to be owners of ships or vessels registered by virtue of this act, 6 G.4. c.110. s.5.

19. No ship or vessel shall continue to enjoy the privileges of a *British* ship after the same shall have been repaired in a foreign country, if such repairs shall exceed the sum of 20s. for every ton of the burthen of the said ship or vessel, unless such repairs shall have been necessary by reason of extraordinary damage sustained by such ship or vessel during her absence from H. M.'s dominions, to enable her to perform the voyage in which she shall have been engaged, and to return to some port or place of the said dominions; and whenever any ship or vessel which has been so repaired in a foreign country shall arrive at any port in H. M.'s dominions as a *British* registered ship or vessel, the master or other person having the command or charge of the same shall, upon the first entry thereof, report upon oath to the collector and controller of H. M.'s customs at such port, that such ship or vessel has been so repaired, under penalty of 20s. for every ton of the burthen of such ship or vessel according to the admeasurement thereof; and if it shall be proved to the satisfaction of the commissioners of customs, that such ship or vessel was seaworthy at the time when she last departed from any port or place in H. M.'s dominions, and that no greater quantity of such repairs have been done to the said vessel than was necessary as aforesaid, it shall be lawful for the said commissioners, upon a full consideration of all the circumstances, to direct the collector and controller of the port where such ship or vessel shall have arrived, or where she shall then be, to certify on the certificate of the registry of such ship or vessel, that it has been proved to the satisfaction of the commissioners of customs, that the privileges of the said ship or vessel have not been forfeited notwithstanding the repairs which have been done to the same in a foreign country, 6 G.4. c.110. s.6.

20. And whereas it has recently happened that the owners of *British* ships have been unable to effect the necessary repairs to their vessels in *British* ports, by reason of combinations of workmen: and whereas it is expedient to make provisions for relief of the ship-owners in such cases, in order that the voyages of *British* ships may not be frustrated by such means, to the great detriment of the commerce and navigation of the empire; be it therefore enacted, That for two years from and after the passing of this act [5th July 1825], when and as often as it shall appear expedient to the lords and others of H. M.'s privy council, it shall be lawful for them, or any three or more of them, to make and issue their order in behalf of the master or owners of any such ship, permitting the same to proceed to some foreign port or ports, to be named in such order, and there to be repaired to such extent as shall be necessary for the voyage in which such ship is engaged, 6 G.4. c.110. s.7.

21. And whereas by the law of navigation *British* ships cannot proceed to sea unless they be navigated by a crew of which three-fourths at least are *British* seamen, and it has recently happened that the owners of *British* ships have been unable to procure proper crews for their ships, by reason of combinations of seamen; be it therefore enacted, That for two years from and after the passing of this act, when and as often as it shall appear expedient to the lords and others of H. M.'s privy council, it shall be lawful for them, or any three or more of them, to make and issue their order in behalf of the master or owners of any such ship, permitting such ship to proceed upon her voyage with a less number of *British* seamen than is required by the law of navigation; and every ship or vessel which shall be navigated with the number of *British* seamen required in such order shall be deemed to be duly navigated; any thing in the law of navigation to the contrary notwithstanding, 6 G.4. c.110. s.8.

22. If any ship or vessel registered under the authority of this or any other act, shall be deemed or declared to be stranded or unseaworthy, and incapable of being recovered or repaired to the advantage of the owners thereof, and shall for such reasons be sold by order or decree of any competent court for the benefit of the owners of such ship or vessel, or other persons interested therein, the same shall be taken and deemed to be a ship or vessel lost or broken up to all intents and purposes within the meaning of this act, and shall never again be entitled to the privileges of a *British*-built ship for any purposes of trade or navigation, 6 G.4. c.110. s.9.

23. No *British* ship or vessel, which has been or shall hereafter be captured by and become prize to an enemy or sold to foreigners, shall again be entitled to the privileges of a *British* ship: provided that nothing contained in this act shall extend to prevent the registering of any ship or vessel whatever which shall be condemned in any court of

admiralty as prize of war, or in any competent court for breach of laws made for the prevention of the slave-trade, 6 G. 4. c. 110. s. 10.

24. No such registry shall hereafter be made, or certificate thereof granted, by any person herein-before authorized to make such registry and grant such certificate, in any other port or place than the port or place to which such ship or vessel shall properly belong, except so far as relates to such ships or vessels as shall be condemned as prizes in any of the islands of *Guernsey*, *Jersey*, or *Man*, which ships or vessels shall in future be registered in manner herein-after directed; but that all and every registry and certificate, granted in any port or place to which any such ship or vessel does not properly belong, shall be utterly null and void to all intents and purposes, unless the officers aforesaid shall be specially authorized and empowered to make such registry and grant such certificate in any other port, by an order in writing under the hands of the commissioners of customs, which order the said commissioners are hereby authorized and empowered to issue in manner aforesaid, if they shall see fit; and at every port where registry shall be made in pursuance of this act, a book shall be kept by the collector and controller, in which all the particulars contained in the form of the certificate of the registry herein-before directed to be used, shall be duly entered; and every registry shall be numbered in progression, beginning such progressive numeration at the commencement of each and every year; and such collector and controller shall forthwith, or within one month at the farthest, transmit to the commissioners of H. M.'s customs a true and exact copy, together with the number of every certificate which shall be by them so granted, 6 G. 4. c. 110. s. 11.

25. Every ship or vessel shall be deemed to belong to some port at or near to which some or one of the owners, who shall take and subscribe the oath required by this act before registry be made, shall reside; and whenever such owner or owners shall have transferred all his or their share or shares in such ship or vessel, the same shall be registered *de novo* before such ship or vessel shall sail or depart from the port to which she shall then belong, or from any other port which shall be in the same part of the U. K., or the same colony, plantation, island, or territory as the said port shall be in: provided, that if the owner or owners of such ship or vessel cannot in sufficient time comply with the requisites of this act, so that registry may be made before it shall be necessary for such ship or vessel to sail or depart upon another voyage, it shall be lawful for the collector and controller of the port where such ship or vessel may then be, to certify upon the back of the existing certificate of registry of such ship or vessel, that the same is to remain in force for the voyage upon which the said ship or vessel is then about to sail or depart: provided, that if any ship or vessel shall be built in any of the colonies, plantations, islands, or territories in *Asia*, *Africa*, or *America*, to H. M. belonging, for owners residing in the U. K., it shall be lawful for such ship or vessel to proceed to any part of the U. K., whether by a direct or circuitous voyage, and there to import a cargo, before registry shall have been made of such ship or vessel; provided the master of such ship or vessel, or the agent for the owner or owners thereof, shall have produced to the collector and controller of the port at or near to which such ship or vessel was built, or from which she shall be cleared for her voyage as aforesaid, the certificate of the builder required by this act, and shall have made oath before such collector and controller, of the names and descriptions of the principal owners of such ship or vessel, and that she is the identical ship or vessel mentioned in such certificate of the builder, and that no foreigner, to the best of his knowledge and belief, has any interest therein; whereupon the collector and controller of such port shall cause such ship or vessel to be surveyed and measured in like manner as is directed for the purpose of registering any ship or vessel, and shall give the master of such ship or vessel a certificate under their hands and seals, purporting to be under the authority of this act, and stating when and where, and by whom such ship or vessel was built, the description, tonnage, and other particulars required on registry of any ship or vessel, and the voyage for which such ship or vessel is cleared by them; and such certificate shall, for such voyage, have all the force and virtue of a certificate of registry under this act; and such collector and controller shall transmit a copy of such certificate to the commissioners of customs, 6 G. 4. c. 110. s. 12.

26. No person who has taken the oath of allegiance to any foreign state, except under the terms of some capitulation, unless he shall afterwards become a denizen or naturalized subject of the U. K., by H. M.'s letters patent, or by act of parliament; nor any person usually residing in any country not under the dominion of H. M., unless he be a member of some *British* factory, or agent for or partner in any house or copartnership actually carrying on trade in *G. B.* or *Ire.*, shall be entitled to be the owner, in whole or in part, directly or indirectly, of any ship or vessel required and authorized to be registered by virtue of this act, 6 G. 4. c. 110. s. 13.

27. No registry shall henceforth be made, or certificate granted, until the following oath be taken and subscribed before the person or persons herein-before authorized to make such registry and grant such certificate

respectively (which they are hereby respectively empowered to administer), by the owner of such ship or vessel, if such ship or vessel is owned by or belongs to one person only; or in case there shall be two joint-owners, then by both of such joint-owners, if both shall be resident within 20 miles of the port or place where such register is required, or by one of such owners, if one or both of them shall be resident at a greater distance from such port or place; or if the number of such owners or proprietors shall exceed two, then by the greater part of the number of such owners or proprietors, if the greater number of them shall be resident within 20 miles of such port or place as aforesaid, not in any case exceeding three of such owners or proprietors, unless a greater number shall be desirous to join in taking and subscribing the said oath, or by one of such owners, if all, or all except one, shall be resident at a greater distance:

'I *A. B.* of [place of residence and occupation] do make oath, that the ship or vessel [name] of [port or place] whereof [master's name] is at present master, being [kind of built, burthen, et cætera, as described in the certificate of the surveying officer], was [when and where built, or if prize or forfeited, capture and condemnation, as such], and that I the said *A. B.* [and the other owners' names and occupations, if any, and where they respectively reside, videlicet, town, place, or parish, and county, or if member of and resident in any factory in foreign parts, or in any foreign town or city, being an agent for or partner in any house or copartnership actually carrying on trade in *G. B.* or *Ire.*, the name of such factory, foreign town, or city, and the names of such house or copartnership], am [or are] sole owner [or owners] of the said vessel, and that no other person or persons whatever hath or have any right, title, interest, share, or property therein or thereto; and that I the said *A. B.* [and the said other owners, if any] am [or are] truly and *bonâ fide* a subject [or subjects] of *G. B.*; and that I the said *A. B.* have not [nor have any of the other owners, to the best of my knowledge and belief] taken the oath of allegiance to any foreign state whatever, [except under the terms of some capitulation, describing the particulars thereof], or that since my taking [or his or their taking] the oath of allegiance to [naming the foreign states respectively to which he or any of the said owners shall have taken the same], I have [or he or they hath or have] become a denizen, [or denizens, or naturalized subject or subjects, as the case may be] of the U. K. of *G. B.* and *Ire.*, by H. M.'s letters patent, or by an act of parliament [naming the times when such letters of denization have been granted respectively, or the year or years in which such act or acts for naturalization have passed respectively], and that no foreigner directly or indirectly hath any share or part interest in the said ship or vessel.'

Provided, that if it shall become necessary to register any ship or vessel belonging to any corporate body in the U. K., the following oath, in lieu of the oath herein-before directed, shall be taken and subscribed by the secretary or other proper officer of such corporate body; (that is to say),

'I *A. B.* secretary or officer of [name of company or corporation], do make oath, that the ship or vessel [name] of [port] whereof [master's name] is at present master, being [kind of built, burthen, et cætera, as described in the certificate of the surveying officer], was [when and where built, or if prize or forfeited, capture and condemnation, as such], and that the same doth wholly and truly belong to [name of company or corporation].

6 G. 4. c. 110. s. 14.

28. In case the required number of joint-owners or proprietors of any ship or vessel shall not personally attend to take and subscribe the oath herein-before directed to be taken and subscribed, then and in such case such owner or owners, proprietor or proprietors, as shall personally attend, and take and subscribe the oath aforesaid, shall further make oath, that the part-owner or part-owners of such ship or vessel then absent is or are not resident within 20 miles of such port or place, and hath or have not to the best of his or their knowledge or belief wilfully absented himself or themselves, in order to avoid the taking the oath herein-before directed to be taken and subscribed, or is or are prevented by illness from attending to take and subscribe the said oath, 6 G. 4. c. 110. s. 15.

29. And in order to enable the collector and controller of H. M.'s customs to grant a certificate, truly and accurately describing every ship or vessel to be registered in pursuance of this act, and also to enable all other officers of H. M.'s customs, on due examination, to discover whether any such ship or vessel is the same with that for which a certificate is alleged to have been granted; be it enacted, That previous to the registering or granting of any certificate of registry as aforesaid, some one or more person or persons appointed by the commissioners of customs (taking to his or their assistance, if he or they shall judge it necessary, one or more person or persons skilled in the building and admeasurement of ships), shall go on board of every such ship or vessel as is to be registered, and shall strictly and accurately examine and admeasure every such ship or vessel as to all and every particular contained in the form of the certificate herein-before directed, in the presence of the master, or of any other person who shall be appointed for that purpose on the part of the owner or owners, or in his or their absence by the said master; and shall deliver a true and just account in

writing of all such particulars of the built, description, and admeasurement of every such ship or vessel as are specified in the form of the certificate above recited, to the collector and controller authorized as aforesaid to make such registry and grant such certificate of registry; and the said master or other person, attending on the part of the owner or owners, is hereby required to sign his name also to the certificate of such surveying or examining officer, in testimony of the truth thereof, provided such master or other person shall consent and agree to the several particulars set forth and described therein, 6 G. 4. c. 110. s. 16.

50. For the purpose of ascertaining the tonnage of ships or vessels, the rule for admeasurement shall be as follows: *videlicet*, the length shall be taken on a straight line along the rabbet of the keel, from the back of the main stern-post to a perpendicular line from the fore part of the main stem under the bowsprit, from which subtracting three-fifths of the breadth, the remainder shall be esteemed the just length of the keel to find the tonnage, and the breadth shall be taken from the outside of the outside plank in the broadest part of the ship, whether that shall be above or below the main wales, exclusive of all manner of doubling planks that may be wrought upon the sides of the ship, then multiplying the length of the keel by the breadth so taken, and that product by half the breadth, and dividing the whole by 94, the quotient shall be deemed the true contents of the tonnage, 6 G. 4. c. 110. s. 17.

51. And whereas it would in some cases endanger ships or vessels to cause them to be laid on shore; be it therefore enacted, That in cases where it may be necessary to ascertain the tonnage of any ship or vessel when afloat, according to the foregoing rule, the following method shall be observed; that is to say, drop a plumb-line over the stern of the ship, and measure the distance between such line and the after part of the stern-post at the load water-mark; then measure from the top of the plumb-line, in a parallel direction with the water, to a perpendicular point immediately over the load water-mark at the fore part of the main stem, subtracting from such measurement the above distance, the remainder will be the ship's extreme, from which is to be deducted three inches for every foot of the load draught of water for the rake abaft, also three-fifths of the ship's breadth for the rake forward, the remainder shall be esteemed the just length of the keel to find the tonnage; and the breadth shall be taken from outside to outside of the plank in the broadest part of the ship, whether that shall be above or below the main wales, exclusive of all manner of sheathing or doubling that may be wrought on the side of the ship; then multiplying the length of the keel for tonnage by the breadth so taken, and that product by half the breadth, and dividing by 94, the quotient shall be deemed the true contents of the tonnage, 6 G. 4. c. 110. s. 18.

52. Provided, that in each of the several rules herein-before prescribed, when used for the purpose of ascertaining the tonnage of any ship or vessel propelled by steam, the length of the engine-room shall be deducted from the whole length of such ship or vessel, and the remainder shall, for such purpose, be deemed the whole length of the same, 6 G. 4. c. 110. s. 19.

53. Whenever the tonnage of any ship or vessel shall have been ascertained according to the rule herein prescribed (except in the case of ships or vessels which have been admeasured afloat), such account of tonnage shall ever after be deemed the tonnage of such ship or vessel, and shall be repeated in every subsequent registry of such ship or vessel, unless it shall happen that any alteration has been made in the form and burthen of such ship or vessel, or it shall be discovered that the tonnage of such ship or vessel had been erroneously taken and computed, 6 G. 4. c. 110. s. 20.

54. At the time of the obtaining of the certificate of registry as aforesaid, sufficient security by bond shall be given to H. M., by the master and such of the owners as shall personally attend as is herein-before required, such security to be approved of and taken by the person or persons herein-before authorized to make such registry, and grant such certificate of registry at the port or place in which such certificate shall be granted, in the penalties following; that is to say, if such ship or vessel shall be a decked vessel, or be above the burthen of 15 tons and not exceeding 50 tons, in the penalty of 100*l.*; if exceeding the burthen of 50 tons and not exceeding 100 tons, in the penalty of 300*l.*; if exceeding the burthen of 100 tons and not exceeding 200 tons, in the penalty of 500*l.*; if exceeding the burthen of 200 tons, and not exceeding 300 tons, in the penalty of 800*l.*; and if exceeding the burthen of 300 tons, in the penalty of 1000*l.*; and the condition of every such bond shall be, that such certificate shall not be sold, lent, or otherwise disposed of to any person or persons whatever, and that the same shall be solely made use of for the service of the ship or vessel for which it is granted, and that in case such ship or vessel shall be lost or taken by the enemy, burnt or broken up, or otherwise prevented from returning to the port to which she belongs, or shall on any account have lost and forfeited the privileges of a *British* ship, or shall have been seized and legally condemned for illicit trading, or shall have been taken in execution for debt and sold by due process of law, or shall have been sold to the Crown, or shall

under any circumstances have been registered *de novo*, the certificate, if preserved, shall be delivered up within one month after the arrival of the master in any port or place in H. M.'s dominions to the collector and controller of some port in *G. B.*, or of the *Isle of Man*, or of the *British* plantations, or to the governor, lieutenant-governor, or commander-in-chief for the time being of the islands of *Guernsey* or *Jersey*; and that if any foreigner or any person for his use and benefit shall purchase or otherwise become entitled to the whole or any part or share of or any interest in such ship or vessel, and the same shall be within the limits of any port of *G. B.*, *Guernsey*, *Jersey*, *Man*, or the *British* colonies, plantations, islands, or territories aforesaid, then and in such case the certificate of registry shall, within seven days after such purchase or transfer of property in such ship or vessel, be delivered up to the person or persons herein-before authorized to make registry and grant certificate of registry at such port or place respectively as aforesaid; and if such ship or vessel shall be in any foreign port when such purchase or transfer of interest or property shall take place, then that the same shall be delivered up to the *British* consul or other chief *British* officer resident at or nearest to such foreign port, or if such ship or vessel shall be at sea when such purchase or transfer of interest or property shall take place, then that the same shall be delivered up to the *British* consul or other chief *British* officer at the foreign port or place in or at which the master or other person having or taking the charge or command of such ship or vessel shall first arrive, after such purchase or transfer of property at sea, immediately after his arrival at such foreign port; but if such master or other person who had the command thereof at the time of such purchase or transfer of property at sea, shall not arrive at a foreign port, but shall arrive at some port of *G. B.*, *Guernsey*, *Jersey*, *Man*, or H. M.'s said colonies, plantations, islands, or territories, then that the same shall be delivered up in manner aforesaid, within 14 days after the arrival of such ship or vessel, or of the person who had the command thereof in any port of *G. B.*, *Guernsey*, *Jersey*, *Man*, or any of H. M.'s said colonies, plantations, islands, or territories: provided, that if it shall happen that at the time of registry of any ship or vessel the same shall be at any other port than the port to which she belongs, so that the master of such ship or vessel cannot attend at the port of registry to join with the owner or owners in such bond as aforesaid, it shall be lawful for him to give a separate bond, to the like effect, at the port where such ship or vessel may then be, and the collector and controller of such other port shall transmit such bond to the collector and controller of the port where such ship or vessel is to be registered, and such bond, and the bond also given by the owner or owners, shall together be of the same effect against the master and owner or owners, or either of them, as if they had bound themselves jointly and severally in one bond, 6 G. 4. c. 110. s. 21.

55. When and so often as the master or other person having or taking the charge or command of any ship or vessel registered in manner herein-before directed shall be changed, the master or owner of such ship or vessel shall deliver to the person or persons herein-before authorized to make such registry and grant such certificates of registry at the port where such change shall take place, the certificate of registry belonging to such ship or vessel, who shall thereupon indorse and subscribe a memorandum of such change, and shall forthwith give notice of the same to the proper officer of the port or place where such ship or vessel was last registered pursuant to this act, who shall likewise make a memorandum of the same in the book of registers which is hereby directed and required to be kept, and shall forthwith give notice thereof to the commissioners of customs: provided, that before the name of such new master shall be indorsed on the certificate of registry, he shall be required to give and shall give a bond, in the like penalties and under the same conditions as are contained in the bond herein-before required to be given at the time of registry of any ship or vessel, 6 G. 4. c. 110. s. 22.

56. If any person whatever shall at any time have possession of and wilfully detain any certificate of registry granted under this or any other act, which ought to be delivered up to be cancelled according to any of the conditions of the bond herein-before required to be given upon the registry of any ship or vessel, such person is hereby required and enjoined to deliver up such certificate of registry, in manner directed by the conditions of such bond, in the respective cases and under the respective penalties therein provided, 6 G. 4. c. 110. s. 23.

57. It shall not be lawful for any owner or owners of any ship or vessel to give any name to such ship or vessel, other than that by which she was first registered in pursuance of this or any other act; and that the owner or owners of all and every ship or vessel which shall be so registered shall, before such ship or vessel, after such registry, shall begin to take in any cargo, paint or cause to be painted in white or yellow letters, of a length not less than four inches, upon a black ground, on some conspicuous part of the stern, the name by which such ship or vessel shall have been registered pursuant to this act, and the port to which she belongs, in a distinct and legible manner, and shall so

keep and preserve the same; and that if such owner or owners, or master, or other person having or taking the charge or command of such ship or vessel, shall permit such ship or vessel to begin to take in any cargo before the name of such ship or vessel has been so painted as aforesaid, or shall wilfully alter, erase, obliterate, or in anywise hide or conceal, or cause or procure or permit the same to be done (unless in the case of square-rigged vessels in time of war), or shall in any written or printed paper, or other document, describe such ship or vessel by any name other than that by which she was first registered pursuant to this act, or shall verbally describe, or cause or procure or permit such ship or vessel to be described, by any other name, to any officer or officers of H. M.'s revenue in the due execution of his or their duty, then and in every such case such owner or owners, or master, or other person having or taking the charge or command of such ship or vessel, shall forfeit the sum of 100*l.*, 6 G. 4. c. 110. s. 24.

38. All and every person who shall apply for a certificate of the registry of any ship or vessel, shall and they are hereby required to produce, to the person or persons authorized to grant such certificate, a true and full account, under the hand of the builder of such ship or vessel, of the proper denomination, and of the time when and the place where such ship or vessel was built, and also an exact account of the tonnage of such ship or vessel, together with the name of the first purchaser or purchasers thereof, (which account such builder is hereby directed and required to give under his hand, on the same being demanded by such person so applying for a certificate as aforesaid,) and shall also make oath before the person or persons herein-before authorized to grant such certificate (which oath he or they is or are hereby authorized to administer), that the ship or vessel for which such certificate is required is the same with that which is so described by the builder as aforesaid, 6 G. 4. c. 110. s. 25.

39. If the certificate of registry of any ship or vessel shall be lost or mislaid, so that the same cannot be found or obtained for the use of such ship or vessel when needful, and proof thereof shall be made to the satisfaction of the commissioners of customs, such commissioners shall and may permit such ship or vessel to be registered *de novo*, and a certificate thereof to be granted: provided, that if such ship or vessel be absent and far distant from the port to which she belongs, or by reason of the absence of the owner or owners, or of any other impediment, registry of the same cannot then be made in sufficient time, such commissioners shall and may grant a licence for the present use of such ship or vessel, which licence shall, for the time and to the extent specified therein and no longer, be of the same force and virtue as a certificate of registry granted under this act: provided, that before such registry *de novo* be made, the owner or owners and master shall give bond to the commissioners aforesaid, in such sum as to them shall seem fit, with a condition that if the certificate of registry shall at any time afterwards be found, the same shall be forthwith delivered to the proper officers of customs to be cancelled, and that no illegal use has been or shall be made thereof with his or their privity or knowledge; and further, that before any such licence shall be granted as aforesaid, the master of such ship or vessel shall also make oath that the same has been registered as a *British* ship, naming the port where and the time when such registry was made, and all the particulars contained in the certificate thereof, to the best of his knowledge and belief, and shall also give such bond, and with the same condition as is before mentioned: provided also, that before any such licence shall be granted, such ship or vessel shall be surveyed in like manner as if a registry *de novo* were about to be made thereof; and the certificate of such survey shall be preserved by the collector and controller of the port to which such ship or vessel shall belong; and in virtue thereof it shall be lawful for the said commissioners, and they are hereby required to permit such ship or vessel to be registered after her departure, whenever the owner or owners shall personally attend to take and subscribe the oath required by this act before registry be made, and shall also comply with all other requisites of this act, except so far as relates to the bond to be given by the master of such ship or vessel; which certificate of registry the said commissioners shall and may transmit to the collector and controller of any other port, to be by them given to the master of such ship or vessel, upon his giving such bond, and delivering up the licence which had been granted for the then present use of such ship or vessel, 6 G. 4. c. 110. s. 26.

40. And whereas it is not proper that any person under any pretence whatever should detain the certificate of registry of any ship or vessel, or hold the same for any purpose other than the lawful use and navigation of the ship or vessel for which it was granted; be it therefore enacted, That in case the master of any ship or vessel, or any other person, who shall have received or obtained by any means or for any purpose whatever the certificate of the registry thereof (whether such master or other person shall be a part-owner or not), shall wilfully detain and refuse to deliver up the same to the proper officers of customs, for the purposes of such ship or vessel, as occasion shall require, it may and

shall be lawful to and for any owner or owners of such ship or vessel, the certificate of registry of which shall be detained and refused to be delivered up as aforesaid, to make complaint on oath against the master of the ship or vessel, or other person, who shall so detain and refuse to deliver up the same, of such detainer and refusal, to any justice of the peace residing near to the place where such detainer and refusal shall be, in G. B. or Ire., or to any member of the supreme court of justice, or any justice of the peace in the islands of *Jersey*, *Guernsey*, or *Man*, or in any colony, plantation, island, or territory to H. M. belonging in *Asia*, *Africa*, or *America*, or *Malta*, *Gibraltar*, or *Heligoland*, where such detainer and refusal shall be in any of the places last mentioned; and on such complaint the said justice or other magistrate shall and is hereby required, by warrant under his hand and seal, to cause such master or other person to be brought before him to be examined touching such detainer and refusal; and if it shall appear to the said justice or other magistrate, on examination of the master or other person, or otherwise, that the said certificate of registry is not lost or mislaid, but is wilfully detained by the said master or other person, such master or other person shall be thereof convicted, and shall forfeit and pay the sum of 100*l.*, and on failure of payment thereof he shall be committed to the common gaol, there to remain without bail or mainprize for such time as the said justice or other magistrate shall in his discretion deem proper, not being less than three months nor more than 12 months; and the said justice or other magistrate shall and he is hereby required to certify the aforesaid detainer, refusal, and conviction, to the person or persons who granted such certificate of registry for such ship or vessel, who shall, on the terms and conditions of law being complied with, make registry of such ship or vessel *de novo*, and grant a certificate thereof conformably to law, notifying on the back of such certificate the ground upon which the ship or vessel was so registered *de novo*; and if such master or other person who shall have detained and refused to deliver up such certificate of registry as aforesaid, or shall be verily believed to have detained the same, shall have absconded, so that the said warrant of the justice or other magistrate cannot be executed upon him, and proof thereof shall be made to the satisfaction of the commissioners of customs, it shall be lawful for the said commissioners to permit such ship or vessel to be registered *de novo*, or otherwise, in their discretion, to grant a licence for the present use of such ship or vessel, in like manner as is herein-before provided in the case wherein the certificate of registry is lost or mislaid, 6 G. 4. c. 110. s. 27.

41. If any ship or vessel, after she shall have been registered pursuant to the directions of this act, shall in any manner whatever be altered, so as not to correspond with all the particulars contained in the certificate of her registry, in such case such ship or vessel shall be registered *de novo*, in manner herein-before required, as soon as she returns to the port to which she belongs, or to any other port which shall be in the same part of the U. K., or in the same colony, plantation, island or territory, as the said port shall be in, on failure whereof such ship or vessel shall to all intents and purposes be considered and deemed and taken to be a ship or vessel not duly registered, 6 G. 4. c. 110. s. 28.

42. The owner or owners of all such ships and vessels as shall be taken by any of H. M.'s ships or vessels of war, or by any private or other ship or vessel, and condemned as lawful prize in any court of admiralty, or of such ships or vessels as shall be condemned in any competent court as forfeited for breach of the laws for the prevention of the slave-trade, shall, upon registering such ship or vessel, before he or they shall obtain such certificate as aforesaid, produce to the collector and controller of customs a certificate of the condemnation of such ship or vessel, under the hand and seal of the judge of the court in which such ship or vessel shall have been condemned (which certificate such judge is hereby authorized and required to grant), and also a true and exact account in writing of all the particulars contained in the certificate herein-before set forth, to be made and subscribed by one or more skilful person or persons, to be appointed by the court then and there to survey such ship or vessel, and shall also make oath before the collector and controller, that such ship or vessel is the same vessel which is mentioned in the certificate of the judge aforesaid, 6 G. 4. c. 110. s. 29.

43. Provided, that no ship or vessel which shall be taken and condemned as prize or forfeiture as aforesaid, shall be registered in the islands of *Guernsey*, *Jersey*, or the *Isle of Man*, although belonging to H. M.'s subjects residing in those islands, or in some one or other of them; but the same shall be registered either at *Southampton*, *Weymouth*, *Exeter*, *Plymouth*, *Falmouth*, *Liverpool*, or *Whitehaven*, by the collector and controller at such ports respectively, who are hereby authorized and required to register such ship or vessel, and to grant a certificate thereof in the form and under the regulations and restrictions in this act contained, 6 G. 4. c. 110. s. 30.

44. When and so often as the property in any ship or vessel, or any part thereof, belonging to any of H. M.'s subjects, shall after registry thereof be sold to any other or others of H. M.'s subjects, the same shall be transferred by bill of sale, or other instrument in writing, con-

taining a recital of the certificate of registry of such ship or vessel, or the principal contents thereof, otherwise such transfer shall not be valid or effectual for any purpose whatever, either in law or in equity: provided, that no bill of sale shall be deemed void by reason of any error in such recital, or by the recital of any former certificate of registry instead of the existing certificate, provided the identity of the ship or vessel therein intended be effectually proved thereby, 6 G. 4. c. 110. s. 31.

45. The property in every ship or vessel, of which there are more than one owner, shall be taken and considered to be divided in 64 parts or shares, and the proportion held by each owner shall be described in the registry as being a certain number of 64th parts or shares; and that no person shall be entitled to be registered as an owner of any ship or vessel in respect of any proportion of such ship or vessel, which shall not be an integral 64th part or share of the same; and upon the first registry of any ship or vessel, the owner or owners who shall take and subscribe the oath required by this act, before registry be made, shall also declare upon oath the number of such parts or shares then held by each owner, and the same shall be so registered accordingly: provided, that if it shall at any time happen that the property of any owner or owners in any ship or vessel cannot be reduced, by division, into any number of integral 64th parts or shares, it shall and may be lawful for the owner or owners of such fractional parts as shall be over and above such number of integral 64th parts or shares into which such property in any ship or vessel can be reduced by division, to transfer the same one to another, or jointly, to any new owner, by memorandum upon their respective bills of sale, or by fresh bill of sale, without such transfer being liable to any stamp-duty: provided also, that the right of such owner or owners to such fractional parts shall not be affected by reason of the same not having been registered: provided also, that it shall be lawful for any number of such owners, named and described in such registry, being partners in any house or copartnership actually carrying on trade in any part of H. M.'s dominions to hold any ship or vessel, or any share or shares of any ship or vessel, in the name of such house or copartnership, as joint-owners thereof, without distinguishing the proportionate interest of each of such owners, and that such ship or vessel, or the share or shares thereof so held in copartnership, shall be deemed and taken to be partnership property to all intents and purposes, and shall be governed by the same rules, both in law and equity, as relate to and govern all other partnership property in any other goods, chattels, and effects whatsoever, 6 G. 4. c. 110. s. 32.

46. No greater number than 32 persons shall be entitled to be legal owners at one and the same time of any ship or vessel, as tenants in common, or to be registered as such: provided, that nothing herein contained shall affect the equitable title of minors, heirs, legatees, creditors, or others, exceeding that number, duly represented by or holding from any of the persons within the said number, registered as legal owners of any share or shares of such ship or vessel: provided also, that if it shall be proved to the satisfaction of the commissioners of customs, that any number of persons have associated themselves as a joint stock company, for the purpose of owning any ship or vessel, or any number of ships or vessels, as the joint property of such company, and that such company have duly elected or appointed any number, not less than three of the members of the same, to be trustees of the property in such ship or vessel, or ships or vessels so owned by such company, it shall be lawful for such trustees, or any three of them, with the permission of such commissioners, to take the oath required by this act, before registry be made, except that instead of stating therein the names and descriptions of the other owners, they shall state the name and description of the company to which such ship or vessel, or ships or vessels, shall in such manner belong, 6 G. 4. c. 110. s. 33.

47. Whenever any ship or vessel which had been registered before the said 31st Dec. 1823, and shall not have been registered *de novo* since that day, and before the commencement of this act [5th July 1825], shall be registered *de novo*, the number of such shares held by each owner shall be registered as far as the same be practicable, and to that intent the owner or owners who shall take and subscribe the oath required by this act before registry be made, shall produce the bills of sale or other titles of themselves and of the other owners, in order that the number of such shares held by each of them may be ascertained and registered accordingly; and if the registry of such ship or vessel then in force shall be the first registry, and the shares of any of the owners shall remain the same as they were at the time of such registry, and the owner or owners, or any one of them, who shall attend to take and subscribe the oath required by this act before registry be made, shall be the same as was or were the owner or owners, or one of them, who took and subscribed such oath before such first registry was made, such original owner or owners instead of producing the bills of sale, shall declare upon oath to the best of his or their knowledge and belief, the number of such shares held by him or them, or by any other original owner or owners, whose proportionate property in such ship or vessel shall have remained

unchanged: provided, that if at the time of such registry *de novo* such owner or owners shall make oath that he and they, and each of them, are unable to produce the bill or bills of sale, or to give any certain account or proof of the share or shares of the other previous owners, or some or any one of them; it shall be lawful for the collector and controller to register such ship or vessel without requiring the share or shares of such owner or owners to be declared and specified, 6 G. 4. c. 110. s. 34.

48. Provided, that from and after the commencement of this act [5th July 1825], or from and after the first arrival and entry of any ship or vessel, after such commencement, at the port to which she belongs, or at any other port which shall be in the same part of the U. K., or in the same colony, plantation, island, or territory as the said port shall be in, no certificate of registry shall be in force, except such as shall be granted under the authority of this act, or which shall have been granted under the authority of 4 G. 4. c. 41., intituled, *An Act for the registering of vessels*, and in which the share or shares herein-before described held by each owner shall be set forth, unless it shall be certified thereon by the collector and controller of the port to which such ship or vessel belong, that farther time has been granted by the commissioners of customs for ascertaining and registering the number or numbers of such shares as cannot then be ascertained, 6 G. 4. c. 110. s. 35.

49. Upon the first registry in compliance with this act, of any ship or vessel which had been before registered, no stamp-duty shall be charged upon the bond therein required to be given; and if the certificate of such former registry then delivered up to be cancelled shall have a *Mediterranean* pass attached thereto, no stamp-duty shall be charged on account of the new *Mediterranean* pass which shall be obtained in lieu of the one so delivered up and cancelled, 6 G. 4. c. 110. s. 36.

50. No bill of sale or other instrument in writing, shall be valid and effectual to pass the property in any ship or vessel, or in any share thereof, or for any other purpose, until such bill of sale or other instrument in writing shall have been produced to the collector and controller of the port at which such ship or vessel is registered, or to the collector and controller of any other port at which she is about to be registered *de novo*, as the case may be, nor until such collector and controller respectively shall have entered in the book of registry or in the book of intended registry of such ship or vessel, as the case may be, (and which they are respectively hereby required to do upon the production of the bill of sale or other instrument for that purpose) the name, residence, and description of the vendor or mortgagor, or of each vendor or mortgagor, if more than one, the number of shares transferred, the name, residence, and description of the purchaser or mortgagee, or of each purchaser or mortgagee, if more than one, and the date of the bill of sale or other instrument, and of the production of it; and further, if such ship or vessel is not about to be registered *de novo*, the collector and controller of the port where such ship is registered shall and they are hereby required to indorse the aforesaid particulars of such bill of sale or other instrument on the certificate of registry of the said ship or vessel, when the same shall be produced to them for that purpose, in manner and to the effect following; *videlicet*,

' Custom House [port and date; name, residence, and description of vendor or mortgagor] has transferred by [bill of sale or other instrument] dated [date; number of shares] to [name, residence, and description of purchaser or mortgagee.]

A. B. Collector.

C. D. Controller.'

And forthwith to give notice thereof to the commissioners of customs; and in case the collector and controller shall be desired so to do, and the bill of sale or other instrument shall be produced to them for that purpose, then the said collector and controller are hereby required to certify, by indorsement upon the said bill of sale or other instrument, that the particulars before mentioned have been so entered in the book of registry, and indorsed upon the certificate of registry as aforesaid, 6 G. 4. c. 110. s. 37.

51. When and so soon as the particulars of any bill of sale or other instrument by which any ship or vessel, or any share or shares thereof, shall be transferred, shall have been so entered in the book of registry as aforesaid, the said bill of sale or other instrument shall be valid and effectual to pass the property thereby intended to be transferred, as against all and every person and persons whatsoever, and to all intents and purposes, except as against such subsequent purchasers and mortgagees who shall first procure the indorsement to be made upon the certificate of registry of such ship or vessel in manner herein-after mentioned, 6 G. 4. c. 110. s. 38.

52. When and after the particulars of any bill of sale, or other instrument by which any ship or vessel, or any share or shares thereof, shall be transferred, shall have been so entered in the book of registry as aforesaid, the collector and controller shall not enter in the book of registry the particulars of any other bill of sale, or instrument purport-

ing to be a transfer by the same vendor or mortgagor, or vendors or mortgagors, of the same ship or vessel, share or shares thereof, to any other person or persons, unless 30 days shall elapse from the day on which the particulars of the former bill of sale, or other instrument, were entered in the book of registry; or in case the ship or vessel was absent from the port to which she belonged at the time when the particulars of such former bill of sale or other instrument were entered in the book of registry, then unless 30 days shall have elapsed from the day on which the ship or vessel arrived at the port to which the same belonged; and in case the particulars of two or more such bills of sale, or other instruments as aforesaid, shall at any time have been entered in the book of registry of the said ship or vessel, the collector and controller shall not enter in the book of registry the particulars of any other bill of sale or other instrument as aforesaid, unless 30 days shall in like manner have elapsed from the day on which the particulars of the last of such bills of sale or other instrument were entered in the books of registry, or from the day on which the ship or vessel arrived at the port to which she belonged, in case of her absence as aforesaid; and in every case where there shall at any time happen to be two or more transfers by the same owner or owners of the same property in any ship or vessel entered in the book of registry as aforesaid, the collector and controller are hereby required to indorse upon the certificate of registry of such ship or vessel, the particulars of that bill of sale or other instrument under which the person or persons claims or claim property, who shall produce the certificate of registry for that purpose within 30 days next after the entry of his said bill of sale or other instrument in the book of registry as aforesaid, or within 30 days next after the return of the said ship or vessel to the port to which she belongs, in case of her absence at the time of such entry as aforesaid; and in case no person shall produce the certificate of registry within either of the said spaces of 30 days, then it shall be lawful for the collector and controller, and they are hereby required, to indorse upon the certificate of registry the particulars of the bill of sale or other instrument to such person as shall first produce the certificate of registry for that purpose, it being the true intent and meaning of this act that the several purchasers and mortgagees of such ship or vessel, share or shares thereof, when more than one appear to claim the same property, shall have priority one over the other, not according to the respective times when the particulars of the bill of sale or other instrument by which such property was transferred to them were entered in the book of registry as aforesaid, but according to the time when the indorsement is made upon the certificate of registry as aforesaid: provided, that if the certificate of registry shall be lost or mislaid, or shall be detained by any person whatever, so that the indorsement cannot in due time be made thereon, and proof thereof shall be made by the purchaser or mortgagee, or his known agent, to the satisfaction of the commissioners of customs, it shall be lawful for the said commissioners to grant such further time as to them shall appear necessary for the recovery of the certificate of registry, or for the registry *de novo* of the said ship or vessel under the provisions of this act, and thereupon the collector and controller shall make a memorandum in the book of registers of the further time so granted, and during such time no other bill of sale shall be entered for the transfer of the same ship or vessel, or the same share or shares thereof, 6 G. 4. c. 110. s. 39.

53. If the certificate of registry of such ship or vessel shall be produced to the collector and controller of any port where she may then be, after any such bill of sale shall have been recorded at the port to which she belongs, together with such bill of sale, containing a notification of such record, signed by the collector and controller of such port as before directed, it shall be lawful for the collector and controller of such other port, to indorse on such certificate of registry (being required so to do), the transfer mentioned in such bill of sale, and such collector and controller shall give notice thereof to the collector and controller of the port to which such ship or vessel belongs, who shall record the same in like manner as if they had made such indorsement themselves, but inserting the name of the port at which such indorsement was made: provided, that the collector and controller of such other port shall first give notice to the collector and controller of the port to which such ship or vessel belongs, of such requisition made to them, to indorse the certificate of registry, and the collector and controller of the port to which such ship or vessel belongs, shall thereupon send information to the collector and controller of such other port, whether any and what other bill or bills of sale have been recorded in the book of the registry of such ship or vessel; and the collector and controller of such other port, having such information, shall proceed in manner directed by this act in all respects to the indorsing of the certificate of registry, as they would do if such port were the port to which such vessel belonged, 6 G. 4. c. 110. s. 40.

54. If it shall become necessary to register any ship or vessel *de novo*, and any share or shares of such ship or vessel shall have been sold since

she was last registered, and the transfer of such share or shares shall not have been recorded and indorsed in manner herein-before directed, the bill of sale thereof shall be produced to the collector and controller of customs, who are to make registry of such ship or vessel, otherwise such sale shall not be noticed in such registry *de novo*, except as herein-after excepted: provided, that upon the future production of such bill of sale, and of the existing certificate of registry, such transfer shall and may be recorded and indorsed, as well after such registry *de novo* as before, 6 G. 4. c. 110. s. 41.

55. If upon any change of property in any ship or vessel, the owner or owners shall desire to have the same registered *de novo*, although not required by this act, and the owner or proper number of owners shall attend at the custom-house at the port to which such ship or vessel belongs for that purpose, it shall be lawful for the collector and controller of H. M.'s customs at such port, to make registry *de novo* of such ship or vessel at the same port, and to grant a certificate thereof, the several requisites herein-before in this act mentioned and directed being first duly observed and complied with, 6 G. 4. c. 110. s. 42.

56. And whereas great inconvenience hath arisen from the registering officers being served with subpoenas requiring them to bring with them and produce, on trials in courts of law relative to the ownership of vessels, or otherwise, the oaths or affidavits required to be taken by the owners thereof prior to the registering thereof, and the books of registry, or copies or extracts therefrom: and whereas it would tend much to the dispatch of business if the attendance of such registering officers with the same upon such trials were dispensed with; be it therefore enacted, That the collector and controller of H. M.'s customs at any port or place, and the person or persons acting for them respectively, shall, upon every reasonable request by any person whomsoever, produce and exhibit for his, her, or their inspection and examination any oath or affidavit taken or sworn by any such owner or owners, proprietor or proprietors, and also any register or entry in any book or books of registry required by this act to be made or kept relative to any ship or vessel, and shall, upon every reasonable request by any person whomsoever, permit him to take a copy or copies, or an extract or extracts thereof respectively; and that the copy or copies of any such oath or affidavit, register or entry, shall, upon being proved to be a true copy or copies thereof respectively, be allowed and received as evidence upon every trial at law, without the production of the original or originals, and without the testimony or attendance of any collector or controller, or other person or persons acting for them respectively, in all cases as fully and to all intents and purposes as such original or originals, if produced by any collector or collectors, controller or controllers, or other person or persons acting for them, could or might legally be admitted or received in evidence, 6 G. 4. c. 110. s. 43.

57. If the ship or vessel, or the share or shares of any owner thereof who may be out of the kingdom, shall be sold in his absence by his known agent or correspondent, under his directions, either expressed or implied, and acting for his interest in that behalf, and such agent or correspondent who shall have executed a bill of sale to the purchaser of the whole of such ship or vessel, or of any share or shares thereof, shall not have received a legal power to execute the same, it shall be lawful for the commissioners of customs, upon application made to them, and proof to their satisfaction of the fair dealings of the parties, to permit such transfer to be registered, if registry *de novo* be necessary, or to be recorded and indorsed, as the case may be, in manner directed by this act, as if such legal power had been produced; and if it shall happen that any bill of sale cannot be produced, or if, by reason of distance of time, or the absence or death of parties concerned, it cannot be proved that a bill of sale for any share or shares in any ship or vessel had been executed, and registry *de novo* of such ship or vessel shall have become necessary, it shall be lawful for the commissioners of H. M.'s customs, upon proof to their satisfaction of the fair dealings of the parties, to permit such ship or vessel to be registered *de novo*, in like manner as if a bill of sale for the transfer of such share or shares had been produced: provided, that in any of the cases herein mentioned, good and sufficient security shall be given to produce a legal power or bill of sale within a reasonable time, or to abide the future claims of the absent owner, his heirs and successors, as the case may be; and at the future request of the party whose property has been so transferred, without the production of a bill of sale from him or from his lawful attorney, such bond shall be available for the protection of his interest, in addition to any powers or rights which he may have in law or equity against the ship or vessel, or against the parties concerned, until he shall have received full indemnity for any loss or injury sustained by him, 6 G. 4. c. 110. s. 44.

58. When any transfer of any ship or vessel, or of any share or shares thereof, shall be made only as a security for the payment of a debt or debts, either by way of mortgage, or of assignment to a trustee or trustees for the purpose of selling the same for the payment of any debt or

debts, then and in every such case the collector and controller of the port where the ship or vessel is registered, shall in the entry in the book of registry, and also in the indorsement on the certificate of registry, in manner herein-before directed, state and express that such transfer was made only as a security for the payment of a debt or debts, or by way of mortgage, or to that effect; and the person to whom such transfer shall be made, or any other person claiming under him as a mortgagee, or a trustee only, shall not by reason thereof be deemed to be the owner of such ship or vessel, share or shares thereof; nor shall the person making such transfer be deemed by reason thereof to have ceased to be an owner or owners of such ship or vessel, any more than if no such transfer had been made, except so far as may be necessary for the purpose of rendering the ship or vessel, share or shares so transferred, available by sale or otherwise for the payment of the debt or debts for securing the payment of which such transfer shall have been made, 6 G. 4. c. 110. s. 45.

59. When any transfer of any ship or vessel, or of any share or shares thereof, shall have been made as a security for the payment of any debt or debts, either by way of mortgage or of assignment as aforesaid, and such transfer shall have been duly registered according to the provisions of this act, the right or interest of the mortgagee or other assignee as aforesaid shall not be in any manner affected by any act of bankruptcy committed by such mortgagor or assignor, mortgagors or assignors, after the time when such mortgage or assignment shall have been so registered as aforesaid, notwithstanding such mortgagor or assignor, mortgagors or assignors, at the time he or they shall so become bankrupt as aforesaid, shall have in his or their possession, order, and disposition, and shall be the reputed owner or owners of the said ship or vessel, or the share or shares thereof, so by him or them mortgaged or assigned as aforesaid, but that such mortgage or assignment shall take place of and be preferred to any right, claim, or interest which may belong to the assignee or assignees of such bankrupt or bankrupts in such ship or vessel, share or shares thereof; any law or statute to the contrary thereof notwithstanding, 6 G. 4. c. 110. s. 46.

60. The commissioners of customs in *Scot.* and *Ire.* respectively shall transmit, at the end of every month in each year, to the commissioners of customs in *Eng.*, true and exact copies of all such certificates as shall be granted by them, or by any officer or officers within the limits of their commission, in pursuance of this act, 6 G. 4. c. 110. s. 47.

61. It shall and may be lawful for any governor, lieutenant-governor, or commander-in-chief of any of H. M.'s colonies, plantations, islands, or territories, and they are hereby respectively authorized and required, if any suit, information, libel, or other prosecution or proceeding of any nature or kind whatever shall have been commenced, or shall hereafter be commenced in any court whatever in any of the said colonies, plantations, islands, or territories respectively, touching the force and effect of any register granted to any ship or vessel, upon a representation made to any such governor, lieutenant-governor, or commander-in-chief, to cause all proceedings thereon to be stayed, if he shall see just cause so to do, until H. M.'s pleasure shall be known and certified to him by H. M., by and with the advice of H. M.'s privy council; and such governor, lieutenant-governor, or commander-in-chief is hereby required to transmit to one of H. M.'s principal secretaries of state, to be laid before H. M. in council, an authenticated copy of the proceedings in every such case, together with his reasons for causing the same to be stayed, and such documents (properly verified) as he may judge necessary for the information of H. M., 6 G. 4. c. 110. s. 48.

62. If any person shall falsely make oath to any of the matters herein-before required to be so verified, such person shall suffer the like pains and penalties as are incurred by persons committing wilful and corrupt perjury; and if any person shall counterfeit, erase, alter, or falsify any certificate or other instrument in writing, required or directed to be obtained, granted, or produced by this act, or shall knowingly or wilfully make use of any certificate or other instrument so counterfeited, erased, altered, or falsified, or shall wilfully grant such certificate or other instrument in writing, knowing it to be false, such person shall for every such offence forfeit the sum of 500*l.*, 6 G. 4. c. 110. s. 49.

63. All the penalties and forfeitures inflicted and incurred by this act shall and may be sued for, prosecuted, and recovered in such courts, and be disposed of in such manner, and by such ways, means, and methods, as any penalties or forfeitures inflicted or which may be incurred for any offences committed against the laws of customs may now legally be sued for, prosecuted, recovered and disposed of; and that the officer or officers concerned in seizures or prosecutions under this act shall be entitled to and receive the same share of the produce arising from such seizures, as in the case of seizures for unlawful importation, and so such share of the produce arising from any pecuniary fine or penalty for any offence against this act, as any officer or officers is or are now by any law or regulation entitled to upon prosecutions for pecuniary penalties, 6 G. 4. c. 110. s. 50.

SILK MANUFACTURES.

1. Entering a house, with intent to cut, &c. silk goods, 22 G. 3. c. 40. s. 2. [*Stat. Dig.* this title, *pl.* 45, 46.] REPEALED, and new punishment awarded, 4 G. 4. c. 46. s. 2. Note.—The 22 G. 3. c. 40. s. 2. is extended to *Scot.* by 29 G. 3. c. 46. s. 3., which, however, seems in force. [See *ante*, tit. OFFENCE, &c. *pl.* 14.]

2. To repeal certain acts of His late Majesty relating to the wages of persons employed in the manufacture of silk, and of silk mixed with other materials, 5 G. 4. c. 66. [See 5 G. 4. c. 95., tit. LABOURERS.]

3. Whereas the 13 G. 3. c. 68. was passed, intituled *An Act to empower the magistrates therein mentioned to settle and regulate the wages of persons employed in the silk manufacture within their respective jurisdictions*, which act was extended by 32 G. 3. c. 44., and amended by 51 G. 3. c. 7. [*Stat. Dig.* this title, *pl.* 10. 29—44.], and the *Irish* silk manufacture acts, 19 & 20 G. 3., 36 G. 3., 40 G. 3., and 50 G. 3. c. 7. [*Stat. Dig.* this title, *pl.* 47.]: and whereas the provisions of the said acts have not been found beneficial; be it enacted, That the said acts, and every clause, matter and thing therein contained, shall be repealed, 5 G. 4. c. 66.

4. For discouraging the importation of thrown silk, 2 W. & M. c. 9. REP. 6 G. 4. c. 29.

SLAVE-TRADE.

1. To amend and consolidate the laws relating to the abolition of the slave-trade, 5 G. 4. c. 113. [To commence from and after 1st Jan. 1825, s. 82.] Persons making seizures under 5 G. 4. c. 113. shall have the benefit of this act; and penalties under 5 G. 4. c. 113. shall be applied as herein directed, 6 G. 4. c. 114. ss. 71, 72. [*ante*, tit. NAVIGATION, *pl.* 138, 139.]

3. Whereas it is expedient that the various acts and enactments relating to slavery and the slave-trade should be consolidated and amended; be it therefore enacted, That from and after 1st Jan. 1825, all the acts and enactments relating to the slave-trade and the abolition thereof, and the exportation and importation of slaves, shall be and the same are hereby repealed, save and except in so far as they may have repealed any prior acts or enactments, or may have been acted upon, or may be expressly confirmed by this present act, 5 G. 4. c. 113. s. 1. [*Viz.* 6 G. 3. c. 37. s. 18., 46 G. 3. c. 52., 47 G. 3. sess. 1. c. 36., 51 G. 3. c. 23., 53 G. 3. c. 112., 55 G. 3. c. 172., 58 G. 3. c. 49., 58 G. 3. c. 98., 59 G. 3. c. 97., 59 G. 3. c. 120., 1 G. 4. c. 50. *Stat. Dig.* tit. SLAVE-TRADE.]

4. It shall not be lawful (except in such special cases as are herein-after mentioned) for any persons to deal or trade in, purchase, sell, barter, or transfer, or to contract for the dealing or trading in, purchase, sale, barter, or transfer of slaves, or persons intended to be dealt with as slaves; or to carry away or remove or to contract for the carrying away or removing of slaves or other persons, as or in order to their being dealt with as slaves; or to import or bring, or to contract for the importing or bringing into any place whatsoever, slaves or other persons, as or in order to their being dealt with as slaves; or to ship, tranship, embark, receive, detain, or confine on board, or to contract for the shipping, transshipping, embarking, receiving, detaining, or confining on board of any ship, vessel, or boat, slaves or other persons, for the purpose of their being carried away or removed, as or in order to their being dealt with as slaves; or to ship, tranship, embark, receive, detain, or confine on board, or to contract for the shipping, transshipping, embarking, receiving, detaining, or confining on board of any ship, vessel, or boat, slaves or other persons, for the purpose of their being imported or brought into any place whatsoever, as or in order to their being dealt with as slaves; or to fit out, man, navigate, equip, dispatch, use, employ, let, or take to freight or on hire, or to contract for the fitting out, manning, navigating, equipping, dispatching, using, employing, letting, or taking to freight or on hire, any ship, vessel, or boat, in order to accomplish any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful; or to lend or advance, or become security for the loan or advance, or to contract for the lending or advancing, or becoming security for the loan or advance of money, goods, or effects, employed or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared

unlawful; or to become guarantee or security, or to contract for the becoming guarantee or security for agents employed or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful; or in any other manner to engage or to contract to engage directly or indirectly therein as a partner, agent, or otherwise; or to ship, tranship, lade, receive, or put on board, or to contract for the shipping, transshipping, lading, receiving, or putting on board of any ship, vessel, or boat, money, goods, or effects, to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful; or to take the charge or command, or to navigate or enter and embark on board, or to contract for the taking the charge or command, or for the navigating or entering and embarking on board of any ship, vessel, or boat, as captain, master, mate, petty-officer, surgeon, supercargo, seaman, marine, or servant, or in any other capacity, knowing that such ship, vessel, or boat is actually employed, or is in the same voyage, or upon the same occasion, in respect of which they shall so take the charge or command, or navigate or enter and embark, or contract so to do as aforesaid, intended to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful; or to insure or to contract for the insuring of any slaves, or any property, or other subject matter, engaged or employed, or intended to be engaged or employed, in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful, 5 G. 4. c. 113. s. 2.

5. If any person (except in such special cases as are in and by this act permitted) shall deal or trade in, purchase, sell, barter or transfer, or contract for the dealing or trading in, purchase, sale, barter, or transfer of slaves, or persons intended to be dealt with as slaves, or shall carry away or remove or contract for the carrying away or removing of slaves or other persons, as or in order to their being dealt with as slaves, or shall import or bring or contract for the importing or bringing into any place whatsoever slaves or other persons, as or in order to their being dealt with as slaves, or shall ship, tranship, embark, receive, detain, or confine on board, or contract for the shipping, transshipping, embarking, receiving, detaining, or confining on board of any ship, vessel, or boat, slaves or other persons for the purpose of their being carried away or removed, as or in order to their being dealt with as slaves; or to ship, tranship, embark, receive, detain, or confine on board, or contract for the shipping, transshipping, embarking, receiving, detaining, or confining on board of any ship, vessel, or boat, slaves or other persons, for the purpose of their being imported or brought into any place whatsoever, as or in order to their being dealt with as slaves, then the person so offending, and his procurers, counsellors, aiders, and abettors, shall forfeit and pay for every such offence the sum of 100*l.* of lawful money of G. B. for each and every slave so dealt or traded in, purchased, sold, bartered, or transferred, carried away, removed, imported, brought, shipped, transhipped, embarked, received, detained, or confined on board, or so contracted for as aforesaid; the one moiety thereof to the use of H. M., and the other moiety to the use of any person who shall inform, sue, and prosecute for the same; and all property or pretended property in such slaves or persons as aforesaid shall also be forfeited, and the said slaves or persons shall and may be seized and prosecuted as herein-after is mentioned and provided, 5 G. 4. c. 113. s. 3.

6. If any person (except in such special cases or for such special purposes as are in and by this act permitted) shall fit out, man, navigate, equip, dispatch, use, employ, let or take to freight or on hire, or contract for the fitting out, manning, navigating, equipping, dispatching, using, employing, letting or taking to freight or on hire, any ship, vessel or boat, in order to accomplish any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful, such ship, vessel, or boat, together with all her boats, guns, tackle, apparel, and furniture, and together likewise with all property, goods, or effects found on board, belonging to the owner or part-owner of any such ship, vessel, or boat, shall become forfeited, and shall be seized and prosecuted as herein-after is mentioned and provided, 5 G. 4. c. 113. s. 4.

7. If any persons (except in such special cases or for such special purposes as are in and by this act permitted) shall knowingly and wilfully lend or advance, or become security for the loan or advance, or shall contract for the lending or advancing, or becoming security for the loan or advance of money, goods, or effects, employed or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful, then the persons so offending, and their procurers, counsellors, aiders, and abettors, shall forfeit and pay for every such offence double the value of all the money, goods, and effects so lent, advanced, or secured, or so contracted for as aforesaid, to be recovered

and applied as is herein-after mentioned and provided, 5 G. 4. c. 113. s. 5.

8. If any persons (except in such special cases or for such special purposes as are in and by this act permitted) shall knowingly and wilfully become guarantee or security, or contract for the becoming guarantee or security for agents employed, or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful, or shall in any other manner engage or contract to engage directly or indirectly therein, as a partner, agent, or otherwise, then the persons so offending, and their procurers, counsellors, aiders, and abettors, shall forfeit and pay for every such offence double the value of all the money, goods, and effects so by them secured or contracted so to be as aforesaid, to be recovered and applied as is herein-after mentioned and provided, 5 G. 4. c. 113. s. 6.

9. If any persons (except in such special cases or for such special purposes as are in and by this act permitted), shall knowingly and wilfully ship, tranship, lade, receive, or put on board, or contract for the shipping, transshipping, lading, receiving, or putting on board of any ship, vessel, or boat, any money, goods, or effects to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful, then the persons so offending, and their procurers, counsellors, aiders, and abettors, shall forfeit and pay for every such offence double the value of all the money, goods, and effects so shipped, transhipped, laden, received, or put on board, or contracted so to be as aforesaid, to be recovered and applied as is herein-after mentioned and provided, 5 G. 4. c. 113. s. 7.

10. If any person (except in such special cases or for such special purposes as are in and by this act permitted) shall knowingly and wilfully insure or contract for the insuring of any slaves, or any property or other subject matter engaged or employed or intended to be engaged or employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful, then the person so offending, and his procurers, counsellors, aiders, and abettors, shall forfeit and pay for every such offence the sum of 100*l.* of lawful money of G. B. for every such insurance or contract for the same, and also treble the amount of the premium of any such insurance or contract for the same, the one moiety thereof to the use of H. M., and the other moiety to the use of any person who shall inform, sue, and prosecute for the same, and every such insurance shall be absolutely null and void, 5 G. 4. c. 113. s. 8.

11. If any subject of H. M., or any person residing or being within any of the dominions, forts, settlements, factories, or territories, now or hereafter belonging to H. M., or being in H. M.'s occupation or possession, or under the government of the united Co. of merchants of Eng. trading to the E. I., shall, except in such cases as are in and by this act permitted, after the 1st Jan. 1825, upon the high seas, or in any haven, river, creek, or place where the admiral has jurisdiction, knowingly and wilfully carry away, convey, or remove, or aid, or assist in carrying away, conveying, or removing, any person as a slave, or for the purpose of his or her being imported or brought as a slave into any island, colony, country, territory, or place whatsoever, or for the purpose of his or her being sold, transferred, used, or dealt with as a slave, or shall after the said 1st Jan. 1825, except in such cases as are in and by this act permitted, upon the high seas, or within the jurisdiction aforesaid, knowingly and wilfully ship, embark, receive, detain, or confine, or assist in shipping, embarking, receiving, detaining, or confining on board any ship, vessel, or boat, any person for the purpose of his or her being carried away, conveyed, or removed as a slave, or for the purpose of his or her being imported or brought as a slave into any island, colony, country, territory, or place whatsoever, or for the purpose of his or her being sold, transferred, used, or dealt with as a slave, then and in every such case the person so offending shall be deemed and adjudged guilty of piracy, felony, and robbery, and being convicted thereof shall suffer death without benefit of clergy, and loss of lands, goods, and chattels, as pirates, felons, and robbers upon the seas ought to suffer, 5 G. 4. c. 113. s. 9.

12. If any persons (except in such special cases as are in and by this act permitted or otherwise provided for) shall deal or trade in, purchase, sell, barter, or transfer, or contract for the dealing or trading in, purchase, sale, barter, or transfer of slaves, or persons intended to be dealt with as slaves, or shall, otherwise than as aforesaid, carry away or remove, or contract for the carrying away or removing of slaves or other persons, as or in order to their being dealt with as slaves; or shall import or bring, or contract for the importing or bringing, into any place whatsoever, slaves or other persons, as or in order to their being dealt with as slaves; or shall, otherwise than as aforesaid, ship, tranship, embark, receive, detain, or confine on board, or contract for the shipping, transshipping, embarking, receiving, detaining, or confining on board of any ship, vessel, or boat, slaves or other persons, for the purpose of their being carried away or removed, as or in order to their being dealt with

as slaves; or shall ship, tranship, embark, receive, detain, or confine on board; or contract for the shipping, transshipping, embarking, receiving, detaining, or confining on board of any ship, vessel, or boat, slaves or other persons, for the purpose of their being imported or brought into any place whatsoever, as or in order to their being dealt with as slaves; or shall fit out, man, navigate, equip, dispatch, use, employ, let or take to freight or on hire, or contract for the fitting out, manning, navigating, equipping, dispatching, using, employing, letting, or taking to freight or on hire, any ship, vessel or boat, in order to accomplish any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful; or shall knowingly and wilfully lend or advance, or become security for the loan or advance, or contract for the lending or advancing, or becoming security for the loan or advance of money, goods, or effects, employed or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful; or shall knowingly and wilfully become guarantee or security, or contract for the becoming guarantee or security, for agents employed or to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful, or in any other manner to engage, or to contract to engage, directly or indirectly therein, as a partner, agent, or otherwise; or shall knowingly and wilfully ship, transship, lade, receive, or put on board, or contract for the shipping, transshipping, lading, receiving, or putting on board of any ship, vessel, or boat, money, goods, or effects to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful; or shall take the charge or command, or navigate, or enter and embark on board, or contract for the taking the charge or command, or for the navigating or entering and embarking on board of any ship, vessel, or boat, as captain, master, mate, surgeon, or supercargo, knowing that such ship, vessel, or boat is actually employed, or is in the same voyage, or upon the same occasion, in respect of which they shall so take the charge or command, or navigate or enter and embark, or contract so to do as aforesaid, intended to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful; or shall knowingly and wilfully insure, or contract for the insuring of any slaves, or any property or other subject matter engaged or employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful; or shall wilfully and fraudulently forge or counterfeit any certificate, certificate of valuation, sentence, or decree of condemnation or restitution, copy of sentence or decree of condemnation or restitution, or any receipt (such receipts being required by this act), or any part of such certificate, certificate of valuation, sentence or decree of condemnation or restitution, copy of sentence or decree of condemnation or restitution, or receipt as aforesaid; or shall knowingly and wilfully utter or publish the same, knowing it to be forged or counterfeited, with intent to defraud H. M., or any other person whatsoever, or any body politic or corporate; then and in every such case the persons so offending, and their procurers, counsellors, aiders, and abettors, shall be and are hereby declared to be felons, and shall be transported beyond the seas for a term not exceeding 14 years, or shall be confined and kept to hard labour for a term not exceeding five years, nor less than three years, at the discretion of the court before whom such offender shall be tried and convicted, 5 G. 4. c. 113. s. 10.

13. If any persons (except in such special cases, or for such special purposes as are in and by this act expressly permitted) shall enter and embark on board, or contract for the entering and embarking on board of any ship, vessel, or boat, as petty-officer, seaman, marine, or servant, or in any other capacity not herein-before specifically mentioned, knowing that such ship, vessel, or boat is actually employed, or is in the same voyage, or upon the same occasion, in respect of which they shall so enter and embark on board, or contract so to do as aforesaid, intended to be employed in accomplishing any of the objects, or the contracts in relation to the objects, which objects and contracts have herein-before been declared unlawful; then the persons so offending, and their procurers, counsellors, aiders, and abettors, shall be and they are hereby declared to be guilty of a misdemeanor only, and shall be punished by imprisonment for a term not exceeding two years, 5 G. 4. c. 113. s. 11.

14. Provided, that nothing in this act contained, making piracies, felonies, robberies, and misdemeanors of the several offences aforesaid, shall be construed to repeal, annul, or alter the provisions and enactments in this act also contained, imposing forfeitures and penalties or either of them upon the same offences, or to repeal, annul, or alter the remedies given for the recovery thereof; but that the said provisions and enactments imposing forfeitures and penalties shall in all respects be deemed and taken to be in full force, it being the true intent and meaning of this act, that the right and privilege heretofore exercised of

suing in vice-admiralty courts for the forfeitures or penalties, shall remain in full force and effect as before the passing of this act; and the jurisdiction of the said vice-admiralty courts in all cases of forfeitures and penalties imposed by this act is hereby established, given, ratified, and confirmed, 5 G. 4. c. 113. s. 12.

15. Provided, that nothing in this act contained shall prevent any persons from dealing or trading in, purchasing, selling, bartering, or transferring, or from the contracting for the dealing or trading in, purchase, sale, barter, or transfer of any slaves or slave lawfully being within any island, colony, dominion, fort, settlement, factory or territory belonging to or in the possession of H. M., in case such dealing or trading, purchase, sale, barter, transfer or contract shall be made and entered into with the true intent and purpose of employing or working such slaves or slave within such and the same island, colony, dominion, fort, settlement, factory or territory, in which they, he, or she may lawfully be at the time of the making or entering into any such dealing or trading, purchase, sale, barter, transfer, or contract, 5 G. 4. c. 113. s. 13.

16. Provided, that nothing in this act contained shall prevent any person from carrying away or removing by land or coastwise, or from contracting for the carrying away or removing by land or coastwise, of any slaves, lawfully being in any part of any island, colony, dominion, fort, settlement, factory or territory belonging to or in the possession of H. M., to any other part of the same island, colony, dominion, fort, settlement, factory, or territory: provided, that where two or more islands are comprised in the same colonial government, nothing in this act contained shall prevent or be construed to prevent any proprietor of slaves, lawfully being in any one of such islands, from carrying away or removing such slaves to any other island, within the same government, for the purpose of cultivating any estate or plantation belonging to such proprietor himself, provided that such special purpose of the removal shall previously be made to appear to the satisfaction of the governor or lieutenant-governor, or other person having the chief civil command for the time being within such government, who thereupon shall grant a licence for such removal, specifying therein the special cause thereof; but before any slave shall, by virtue of any such licence, be so removed or embarked on board of any ship or vessel for that purpose, such clearances or permits and such certificates shall be obtained as are herein-after mentioned and directed in regard to domestic slaves attending on their owner or master or his family by sea, 5 G. 4. c. 113. s. 14.

17. Provided, that it shall be lawful for H. M., by any order or orders to be by him from time to time issued, with the advice of his privy council, to authorize and permit, until the 31st July 1827, and to the end of the next ensuing session of parliament, and no longer, the removal of any slaves from any island in the *West Indies* belonging to or in the possession of H. M., to any other island in the *West Indies* belonging to or in the possession of H. M., in case it shall be made appear to H. M., and his council, that such removal is essential to the welfare of the slaves proposed to be so removed: provided also, that it shall be lawful for H. M., by any such order or orders as aforesaid, to make and establish such stipulations, conditions, and regulations for the benefit of such slaves, in the island to which they may be so removed, as to H. M., with the advice of his council, may seem meet, and to take security in double the value of the slaves so to be removed (such value to be estimated according to the price of slaves in the island to which such slaves are to be taken) by bond or recognizance to be made and entered into by the person to or on the application of whom such licence may be granted, with at least two sufficient sureties, for the due and faithful observance and performance of all such stipulations, conditions, and regulations as aforesaid; and all orders in council to be so issued as aforesaid shall be laid before both houses of parliament within six weeks next after the commencement of each session, 5 G. 4. c. 113. s. 15.

18. Provided, that nothing in this act contained shall prevent the transportation to any foreign colony or place of any slave or slaves that shall have been convicted in any court of record, by due course of law, in any present or future *British* island or colony, of any crime to which the punishment of transportation is or shall be annexed by the law of such island or colony; but in every such case a copy of the judgment or sentence, certified by the court before which the offender was convicted, shall be put on board in the ship or vessel in which any such convict shall be transported, 5 G. 4. c. 113. s. 16.

19. Provided, that nothing in this act contained shall prevent any slave, who shall be really and truly the domestic servant of any person residing or being in any island, colony, plantation, or territory, belonging to or under the dominion or in the possession of H. M., from attending such his owner or master, or any part of his family, by sea, to any place whatever; nevertheless, under the following regulations; that is to say, first, the name and occupation of every such domestic slave shall be inserted in or indorsed upon the clearance or permit to depart of such ship or vessel, by or in the presence of the collector,

controller, or other chief officer of the customs of the port or place from which such ship or vessel shall clear outwards on any voyage, who shall, without fee or reward, certify under his hand, that the slave or slaves so embarked or carried were reported or described to him as domestic servants; secondly, the master or owner of any such domestic slave or slaves shall obtain from the registry of the colony to which the same shall belong, an extract, certified by the registrar thereof, showing that such domestic slave or slaves has or have been duly entered in the slave registry of the said colony, by their name and description or names and descriptions therein specified, which extract and certificate shall always be on board the ship or vessel in which any such domestic slave or slaves is or are carried; and upon such slave or slaves being brought into or landed in any *British* colony, the extract and certificate of his, her, or their registration in the colony from which he, she, or they may have come, shall be forthwith produced to the collector or principal officer of the customs, and a copy thereof shall be by him delivered to the registrar of slaves in the colony into which he, she, or they may be brought; and if the domestic slave or slaves shall be again removed from the colony into which they may have been so brought, previous to the next period for making returns of slaves therein, the collector shall, previous to the embarkation of such domestic slave or slaves, return to the party requiring it the original extract and certificate of registration delivered into his office to be kept on board the ship or vessel in which such domestic slave or slaves may be carried; and if the regulations herein contained be not complied with, the owners of the said slave or slaves shall forfeit the sum of 100*l.* for every such slave or slaves so illegally dealt with, and the master or other person having the charge of such ship or vessel shall in every such case forfeit the sum of 100*l.* for each and every domestic slave so unlawfully taken on board, 5 *G. 4. c. 113. s. 17.*

20. Provided, that nothing in this act contained shall prevent any slave or slaves from being employed in navigation, in numbers not exceeding in any one vessel or boat those usually employed in navigating such vessels or boats; nevertheless where he or they shall be designedly so employed in navigating from any *British* island, colony, plantation, or territory, the regulations prescribed for the transit of domestic slaves as aforesaid shall be duly observed, 5 *G. 4. c. 113. s. 18.*

21. Provided, that nothing in this act contained shall prevent any slave or slaves from being employed in fishing, or any other his ordinary business or occupation upon the seas; nevertheless, where he or they shall be so employed in the course of a navigation designedly undertaken from any *British* island, colony, plantation, or territory, the regulations prescribed for the transit of domestic slaves as aforesaid shall be duly observed, 5 *G. 4. c. 113. s. 19.*

22. Provided, that nothing in this act contained shall prevent any slave from being put on board any ship or vessel by the order of H. M.'s commander-in-chief, either by sea or land, in any island, colony, plantation, or territory belonging to or under the dominion of H. M., in order to be employed in H. M.'s military or naval service, and from being by such order so employed, however or wheresoever the said service may require, 5 *G. 4. c. 113. s. 20.*

23. Provided, that nothing in this act contained shall prevent the transshipping and assisting at sea any slave which shall be in any ship or vessel in distress, 5 *G. 4. c. 113. s. 21.*

24. All slaves and all persons treated, dealt with, carried, kept, or detained as slaves, which shall be seized or taken as prize of war or liable to forfeiture under this act, shall, for the purposes only of seizure, prosecution, and condemnation as prize or as forfeiture, be considered, treated, taken, and adjudged as slaves and property, in the same manner as negro slaves have been heretofore considered, treated, taken, and adjudged when seized as prize of war, or as forfeited for any offence against the laws of trade and navigation respectively; but the same shall be condemned as prize of war or as forfeited to the sole use of H. M., for the purpose only of divesting and barring all other property, right, title, or interest whatever, which before existed or might afterwards be set up or claimed in or to such slaves or persons so seized, prosecuted, or condemned; and the same nevertheless shall in no case be liable to be sold, disposed of, treated, or dealt with as slaves by or on the part of H. M., or by or on the part of any person claiming or to claim from, by, or under H. M., or under or by force of any such sentence or condemnation: provided, that it shall be lawful for H. M., and such officers, civil or military, as shall by any general or special order of the King in council be from time to time appointed to receive, protect, and provide for such persons as shall be so condemned, either to enter, and enlist the same or any of them into H. M.'s land or sea service as soldiers, seamen, or marines, or to bind the same or any of them, whether of full age or not, as apprentices for any term not exceeding seven years, to such person, in such place, and upon such terms and conditions, and subject to such regulations as to H. M. shall seem meet, and as shall by any general or special order of H. M. in council be in that behalf directed and appointed; and any indenture of apprenticeship, duly made and executed

by any person to be for that purpose appointed by any such order in council for any term not exceeding seven years, shall be of the same force and effect as if the party thereby bound as an apprentice had himself or herself when of full age upon good consideration duly executed the same; and every such person who shall be so enlisted or entered as aforesaid into H. M.'s land or sea forces as a soldier, seaman, or marine, shall be considered, treated, and dealt with in all respects as if he had voluntarily so enlisted or entered himself, 5 *G. 4. c. 113. s. 22.*

25. Provided, that in case any person illegally held or detained in slavery shall hereafter by shipwreck or otherwise be cast upon, or shall escape to or arrive at any island or colony, fort, territory, or place under the dominion or in the possession of H. M., it shall be lawful for H. M., or for any such officers civil or military as aforesaid, to deal with, protect, and provide for any such person, in such and the same manner as is herein-before directed with respect to persons condemned as prize of war, or as forfeited under this act, 5 *G. 4. c. 113. s. 23.*

26. Whenever any person apprenticed under the provisions of any of the acts for the abolition of the slave-trade, shall be ill-treated by the master to whom he is apprenticed, or by any other person by his directions, or with his knowledge, approbation, or consent, it shall be lawful for such person so apprenticed and so ill-treated, to apply himself, or by any other person on his behalf, to the judge of the vice-admiralty court nearest to which his said master shall be residing; and the said judge shall have authority and is hereby empowered and required to take cognizance of the said complaint, and to summon the said master, witnesses, and other persons before him, and examine into the same summarily, and decide thereupon; and if the said complaint shall, in the judgment of the said court, be satisfactorily proved, it shall be lawful for the said judge to fine the said master any sum not exceeding 100*l.* of good and lawful money of *G. B.*, and to enforce payment thereof by distress and imprisonment; and also, if it shall seem to him meet, to cancel the indentures of apprenticeship; and any fine so enforced shall go to and belong to the King, 5 *G. 4. c. 113. s. 24.*

27. Provided, that where any slaves or persons treated, dealt with, carried, kept, or detained as slaves taken as prize of war by any of H. M.'s ships of war or privateers duly commissioned, shall be finally condemned as such to H. M.'s use, there shall be paid to the captors thereof, out of the consolidated fund of the U. K. of *G. B.* and *Ire.*, such bounty as H. M. shall direct by any order in council, so as the same shall not exceed the sum of 20*l.* lawful money of *G. B.* for every man, woman, and child that shall be so taken and condemned, and shall be delivered over to the proper officer or officers, civil or military, appointed to receive, protect, and provide for the same; which bounties shall be divided amongst the officers, seamen, marines, and soldiers on board H. M.'s ships of war or hired armed ships, in manner, form, and proportion, as by H. M.'s proclamation for granting the distribution of prizes to be issued for that purpose shall be directed and appointed, and amongst the owners, officers, and seamen of any private ship or vessel of war, in such manner and proportion as by any agreement in writing which they shall have entered into for that purpose shall be directed, 5 *G. 4. c. 113. s. 25.*

28. Provided, that on the condemnation to the use of H. M., of any slaves or persons treated, dealt with, carried, kept, or detained as slaves, seized and prosecuted not as prize of war, but as forfeited for any offence against this act (when such seizure has been made at sea by the commander or officer of any of H. M.'s ships or vessels of war), there shall be paid to the commander or officer of such ship or vessel of war, who shall so seize, inform, and prosecute, for every man, woman, and child so condemned and delivered over, the sum of 10*l.* like money, subject nevertheless to such distribution of the said bounties or rewards for the said seizures made at sea, as H. M. shall think fit and direct by any order in council made for that purpose; and where such seizure shall not have been made at sea by the commander or officer of any of H. M.'s ships or vessels of war, there shall be paid to and to the use of the person who shall have sued, informed, and prosecuted the same to condemnation, the sum of 7*l.* 10*s.* lawful money aforesaid, for every man, woman, and child that shall be so condemned and delivered over, and also the like sums to and to the use of the governor or commander-in-chief of any colony or plantation wherein such seizure shall be made, 5 *G. 4. c. 113. s. 26.*

29. Provided, that in order to entitle the captors to receive the said bounty-money, the numbers of men, women, and children so taken, condemned, and delivered over, shall be proved to the commissioners of H. M.'s treasury, by producing a copy duly certified of the sentence and decree of condemnation, and also a certificate under the hand of the said officer or officers, military or civil, so appointed as aforesaid, and to whom the same shall have been delivered, acknowledging that he or they hath or have received the same, to be disposed of according to H. M.'s instructions and regulations as aforesaid, 5 *G. 4. c. 113. s. 27.*

30. Provided, that in any cases in which doubts shall arise whether the party claiming such bounty-money is entitled thereto, the same shall

be summarily determined by the judge of the high court of admiralty, subject nevertheless to an appeal to the lords commissioners of appeals in prize causes, 5 G. 4. c. 113. s. 28.

31. No appeals shall be prosecuted from any decree or sentence of any court of admiralty or vice-admiralty, touching any of the matters provided for in this act, unless the inhibition shall be applied for and decreed within 12 months from the time when such decree or sentence was pronounced, except where such decree or sentence shall be passed in any vice-admiralty court at the *Cape of Good Hope* or to the eastward thereof, in which cases 18 months shall be allowed for the prosecution of the said appeal, 5 G. 4. c. 113. s. 29.

32. Provided, that nothing in this act contained shall be construed to repeal or alter 57 G. 3. c. 127., intituled, *An Act to settle the share of prize-money, droits of admiralty and bounty-money, payable to Greenwich hospital, and for securing to the said hospital all unclaimed shares of vessels found derelict, and of seizures for breach of the revenue, colonial navigation, and slave abolition laws*; but that the provisions of the said act shall be and they are hereby declared to be applicable to the several matters and things in this act contained, the same as if the said provisions were specially enumerated and enacted herein, 5 G. 4. c. 113. s. 30.

33. Provided, that it shall be lawful for H. M. in council, from time to time to make such orders and regulations for the future disposal and support of such persons as shall have been bound apprentices under this act, or the acts hereby repealed, after the term of their apprenticeship shall have expired, or the indenture of apprenticeship shall have been cancelled, as to H. M. shall seem meet, and as may prevent such persons from becoming at any time chargeable upon the island, colony, or settlement in which they shall have been so bound apprentices as aforesaid, 5 G. 4. c. 113. s. 31.

34. When any slaves or persons treated, dealt with, carried, kept, or detained as slaves, shall be captured or seized as prize of war, or as forfeited or liable to forfeiture to H. M., or otherwise proceeded against in and by virtue of any law, and brought to adjudication in the high court of admiralty, or in any court of vice-admiralty, or in any court of H. M.'s colonies or plantations, or elsewhere within H. M.'s dominions, which is or may be authorized to hold jurisdiction in such cases, it shall be lawful for the person claiming any right or property in, or the possession of such slaves, and he is hereby required to put such slaves on shore; and it shall be lawful for the collector or other chief officer of the customs in such port or place in which such slaves shall be brought to adjudication, and he is hereby required to direct enquiry to be made, whether the person claiming any right or property in, or the possession of such slaves, shall have furnished, or shall be willing and able to furnish sufficient food and necessaries for the support and wholesome maintenance of the said slaves, during the proceedings which may have been or may be instituted respecting such slaves; and such collector or other chief officer of the customs shall, as soon as may be, report to the governor or lieutenant-governor, or other person exercising the authority of governor in such colony, or plantation or place, the result of such enquiry; and if it shall appear to the said governor or lieutenant-governor, or other person exercising the authority of governor, that sufficient food and necessaries for the wholesome maintenance of such slaves during the proceedings so instituted or to be instituted as aforesaid, have not been furnished; and if the person claiming any right of property in or to such slaves shall refuse or afterwards neglect or omit to supply proper food and necessaries for the support and wholesome maintenance of the said slaves during such proceedings, the said governor or lieutenant-governor, or other person exercising the authority of governor in such colony, or plantation, or place, being satisfied of the truth of the report so made to him, shall authorize the said collector or chief officer of the customs to take on himself the immediate care and custody of such slaves, and to provide proper food and necessaries for such slaves, during the proceedings so instituted or to be instituted in any such court as aforesaid, until the said court shall have made its decree, having the force and effect of a definitive sentence, condemning or restoring the said slaves; and in case the said court shall, by such decree, absolutely restore or condemn such slaves, the said court shall, on application made by the said collector or chief officer of the customs so providing or having provided for the support and maintenance of such slaves as aforesaid, direct the accounts for the provisions and necessaries so supplied for the said slaves to be brought into the registry of the court and examined, and direct the same, when confirmed, to be a charge on the said slaves, to be defrayed by the person receiving possession thereof under the decree of such court: provided nevertheless, that in case the court shall not immediately restore or condemn the said slaves by decree, having the force and effect of a definitive sentence, but shall direct further proof to be made in the cause, whereby the restitution or condemnation shall be deferred, and the person claiming any right or property in, or the possession of the said slaves, shall not have supplied, or at any time pending proceedings

in that court, shall refuse or neglect to supply proper food and necessaries for the said slaves, it shall be lawful for the court to direct a valuation to be made of such slaves, and to decree such slaves, after such valuation had and approved by the court, to be delivered over to such officer or person as may be appointed by H. M. to receive slaves condemned to H. M.'s use, according to the provisions of this act, and the same shall be dealt with and treated in all respects according to the said provisions, save and except that the bounty shall not be due or payable for such slaves, but in the event of final condemnation, according to this act, 5 G. 4. c. 145. s. 32.

35. In all cases in which there shall have been a decree having the force and effect of a definitive sentence, restoring or condemning the said slaves, and the same shall be suspended by appeal, it shall be lawful for the court, notwithstanding such appeal, to proceed forthwith to direct the slaves so detained to be valued as above directed; and after such valuation had and approved by the court, to be delivered over to such officer or person as may be appointed to receive slaves condemned to H. M.'s use, according to the aforesaid provisions, as if the same had been finally condemned to H. M.; and such slaves shall be treated and dealt with in all respects in the same manner as if they had been finally condemned to H. M.; save and except that the bounties shall not be due or payable thereon, but in the event of final condemnation to H. M., according to this act, 5 G. 4. c. 113. s. 33.

36. In all cases in which such slaves shall have been delivered over as before directed, and shall be finally restored in the court of appeal, restitution in value shall be made for the use of the claimant or proprietor thereof, according to the valuation made as above directed, together with interest thereon, such sums being deducted therefrom as may have been expended for the support and maintenance of the said slaves, by the collector or chief officer of the customs as above directed; and the value so adjusted shall be paid out of the consolidated fund in the same manner as bounties are directed to be paid for slaves condemned to H. M. under this act, on the production of an official copy of the final sentence of restitution, with the valuation of the said slaves endorsed thereon by the registrar of the said court, or his deputy, subject nevertheless, when the restitution shall be decreed by the court of appeal, to the review and correction of the said valuation, 5 G. 4. c. 113. s. 34.

37. Provided, nothing herein contained shall prevent the said courts or any of them having jurisdiction in the principal cause, from adjudging and decreeing the captors, seizers, or prosecutors in any such cause as aforesaid, to pay, out of their own proper monies, such sums in the nature of costs or damages as the said court shall decree, when it shall appear to such court that the capture, seizure, or prosecution, or the appeal thereon on the behalf of the captor, seizer, or prosecutor, shall not be justified by the circumstances of the case, 5 G. 4. c. 113. s. 35.

38. All ships or vessels, whether *British* or foreign, which shall be condemned in any court of admiralty or vice-admiralty in any part of H. M.'s dominions, for any offence in relation to the slave-trade, or under any of the mixed commission courts herein-after mentioned, or which may in future be established in pursuance of any treaty or convention between this country and any foreign power, shall, from and after such judgment or condemnation respectively, be entitled to a certificate of registry as a *British* ship, and thereupon have and enjoy all the privileges and advantages of *British*-built ships and vessels, being first duly registered according to the provisions of 26 G. 3. c. 60., [which act was repealed by 4 G. 4. c. 41. post, SHIPPING], and shall be deemed and taken as such, and shall be entitled to have and enjoy all and every the same rights, liberties, privileges, and advantages in all respects whatsoever with *British*-built ships and vessels, and shall be subject and liable to all and every the rules and regulations that *British*-built ships or vessels are subject and liable to, 5 G. 4. c. 113. s. 36.

39. And whereas in and by 59 G. 3. c. 120. [Stat. Dig. tit. SLAVE-TRADE.], intituled, *An Act for establishing a registry of colonial slaves in G. B., and for making further provisions with respect to the removal of slaves from British colonies*, it is enacted, That it shall be lawful for H. M. to nominate and appoint, by warrant under the hand and seal of one of H. M.'s principal secretaries of state, some fit and proper person as the registrar of colonial slaves, to receive the copies of all registries or returns of slaves, and of any abstracts or indexes referring thereto, which may have been, or which may at any time hereafter be transmitted from any of H. M.'s foreign possessions, either in pursuance of any order of H. M. in council, or of any law or ordinance duly passed in any of the *British* colonies respectively, which said registrar, and his successors respectively, shall continue to hold the said office during H. M.'s pleasure; and also, that the commissioners of H. M.'s treasury, shall assign to the registrar so appointed such a salary, not exceeding in the whole the sum of 800*l.* per annum, as shall appear to them adequate and proper, and shall fix the number of such clerks, officers, or other persons, to assist the said registrar, as may from time to time be necessary, and shall allow to them also such salaries as may be proper, and also reasonable sums for incidental charges; all which salaries and

charges shall be defrayed and paid, in the same manner as the salaries and incidental charges of the offices of H. M.'s principal secretaries of state are now defrayed and paid; and also, that the said commissioners of the treasury, shall provide a proper and distinct office for the said registrar, and shall appoint the several fees to be taken by the registrar or his assistants in the said office, and shall cause a schedule of the same to be delivered to the said registrar at the time of his appointment, which said schedule, or a copy thereof, shall be always kept and hung, for public information, in the office of the registrar; provided, that the fees so received by the registrar, or his assistants, shall be carried to the public account, and the residue thereof, if any, after paying the salaries of the registrar, and other persons employed in his office, shall be applied, under the direction of the said commissioners of the treasury, in aid of the expences of H. M.'s civil list; and also, that the person who may be at any time appointed registrar of colonial slaves shall, before he enters on the execution of his said office, be sworn, before the chief justice, or one of the justices of H. M.'s courts of K. B. or C. P., or the chief baron, or one of the barons of H. M.'s court of exchequer, in the words following;

' I A. B. do solemnly promise and swear, That I will in all respects faithfully and uprightly perform the duties of registrar of colonial slaves, to the best of my judgment and ability.
So help me God.'

And also, that any registrar of slaves who may be appointed by virtue of this act shall, during his continuance in such office, be incapable of being elected or of sitting as a member of the house of commons; and also, that as soon as the office of registrar of colonial slaves shall be opened, copies and duplicates of the several registries and returns of slaves in the several colonies, and all papers connected therewith, which may have been received by any of H. M.'s secretaries of state, shall be delivered over to the said registrar, and shall be by him kept in the said office; and the said registrar shall from time to time carry on, continue, correct, and enlarge the copies of the several registries of slaves respectively, pursuant to the further returns of slaves which may from time to time be received from the several colonies, and shall form such indexes and abstracts, and such convenient arrangements in other respects as may best promote regularity in keeping the said books and facilitate search therein; and also, that every such registrar or his clerk or assistants, so to be appointed as aforesaid, shall give due attendance at the said office every day in the week (except *Sundays* and such holidays as are kept at the bank of *Eng.*), from the hour of 10 of the clock in the morning, to the hour of 4 of the clock in the afternoon, for the dispatch of all business belonging to the said office; and that every such registrar, or his clerks or assistants, shall, as often as required, make searches concerning any slave or slaves that shall be registered or supposed to be registered in any of the said books; and shall also, if required, give certificates under the hand of the said registrar as to the registration or non-registration of any such slave or slaves, with extracts, when the same is or are found to be registered, of the name and description or names and descriptions thereof, and of the plantation or plantations, owner or owners to whom the same is or are described to belong, and of any other particulars relating thereto which may be stated in the said registry; and that such registrar shall be entitled to receive for every such search, certificate, or extract, such sums as shall be duly appointed in the schedule of fees, to be fixed by the said commissioners of the treasury as is herein-before provided for; and also, that it shall not be lawful for any of H. M.'s subjects in this U. K. to purchase or to lend or advance any money, goods, or effects upon the security of any slave or slaves in any of H. M.'s colonies or foreign possessions, unless such slave or slaves shall appear by the return received therein to have been first duly registered in the said office of the registrar of colonial slaves; and that every sale, mortgage, and conveyance, of assurance of, and every charge or other security upon any slave or slaves not so appearing to be registered, which shall be made or executed within this U. K., to or in trust for any of H. M.'s subjects, shall be absolutely null and void in respect of any such unregistered slave or slaves; and that for this purpose no slave or slaves shall be deemed and taken to be duly registered, unless it shall appear that a return of such slave or slaves duly made by the owner or owners or other persons in his or their behalf, in the manner and form required by law in the colony in which such slave or slaves may reside, or a copy or abstract of such return, shall have been received in the office of the said registrar from the colony in which such slave or slaves shall reside, within the four years next preceding the date of such sale, mortgage, conveyance, or assurance, charge, or security as aforesaid; and also, that no deed or instrument made or executed within this U. K., whereby any slave or slaves in any of the said colonies shall be intended to be mortgaged, sold, charged, or in any manner transferred or conveyed, or any estate or interest therein created or raised, shall be good or valid in law, to pass or convey, charge or affect any such slave or slaves, unless the registered

name and description, or names and descriptions, of such slave or slaves, shall be duly set forth in such deed or instrument, or in some schedule thereupon indorsed or thereto annexed, according to the then latest registration, or corrected registration, of such slave or slaves, in the said office of the registrar of slaves: provided always, that no deed or instrument shall be avoided or impeached by reason of a clerical error in setting forth the names and descriptions of any slave or slaves therein, or in any schedule thereto contained, nor shall the same be avoided or impeached by reason of any disagreement between the names and descriptions and the entries thereof, in the books of the registry, or duplicate registry, which shall have arisen from any error or default of the registrar, his assistant or clerks, in extracting and certifying the said names and descriptions, without the fraudulent contrivance or wilful default of the parties to such deed or instrument: provided also, that nothing herein contained shall extend or be construed to hinder or prevent the transfer or assignment of any security, mortgage, or charge, of or upon slaves, granted, made, created, or executed antecedently to the passing of this act, nor to avoid any deed or instrument whereby such security, mortgage, or charge shall be hereafter transferred, nor to avoid, hinder, or impeach any will, codicil, or other testamentary paper, or any probate or letters of administration, or any bill of sale, assignment, conveyance, or instrument, made by or under the authority of any commission of bankrupt, or any public officer appointed to assign or convey any insolvent estate and effects, or by or under the authority of any court of justice, or any officer thereof, or in the execution of any legal process, by reason that the registered names and descriptions of any slaves are not set forth in such deed, will, codicil, testamentary paper, probate of letters of administration, bill of sale, assignment, conveyance, or instrument; and also, that the issue of any slave or slaves, named or described in any deed or instrument executed in the U. K., or any schedule thereto, born after the return required by law, in the colony in which such slave or slaves may be resident, who shall afterwards be duly registered in the next return required by law in the said colony, shall be deemed and considered to pass and be conveyed and affected as registered slaves by such deed or instrument, as effectually to all intents and purposes as if such issue were therein named and described, and any thing in this act contained to the contrary notwithstanding; now be it declared and enacted, That the said several enactments shall be and remain in full force and effect, 5 G. 4. c. 113. s. 37.

40. Every act which the governor of any island, colony, plantation, or territory, belonging to or under the dominion of H. M., is by this act directed or authorized to do or perform, may be lawfully done or performed by the person executing, *pro tempore*, the office or function of governor of any such island, colony, plantation, or territory, by authority from H. M., whether under the style and title of governor, lieutenant-governor, president of the council, or under any other style or title whatsoever, 5 G. 4. c. 113. s. 38.

41. Every mortgage, bond, bill, note, or other security, made in or to accomplish any of the objects, or the contracts in relation to the objects, which objects and contracts have by this act been declared unlawful, shall, except in the case of a *bonâ fide* purchaser or holder of any such of the said securities as are in their nature negotiable, who may have purchased or obtained the same without notice that the same were made or given for any such unlawful purposes, be void, 5 G. 4. c. 113. s. 39.

42. Provided, that if any person offending as a petty-officer, seaman, marine, or servant, against any of the provisions of this act, shall, within two years after the offence committed, give information on oath before any competent magistrate, against any owner or part-owner, or any captain, master, mate, surgeon or supercargo of any ship or vessel, who shall have committed any offence against this act, and shall give evidence on oath against such owner or part-owner, captain, master, mate, surgeon, or supercargo, before any magistrate or court before whom such offender may be tried; or if such person so offending shall give information to any of H. M.'s ambassadors, ministers plenipotentiary, envoys, charges d'affaires, consuls, residents, or other agents, so that any person or persons owning such ship or vessel, or navigating or taking charge of the same, as captain, master, mate, surgeon, or supercargo, may be apprehended, such person so giving information and evidence shall not be liable to any of the pains or penalties under this act, incurred in respect of his offence, and H. M.'s ambassadors, ministers plenipotentiary, envoys, charges d'affaires, consuls, residents, or other agents, are hereby required to receive any such information as aforesaid, and to transmit the particulars thereof, without delay, to one of H. M.'s principal secretaries of state, and to transmit copies of the same to the commanders of H. M.'s ships or vessels then being in the said port or place, 5 G. 4. c. 113. s. 40.

43. If any oath taken under this act shall be wilfully false, or if such false oath shall be unlawfully or wilfully procured or suborned, the offender shall incur and suffer the like pains and penalties as are by law

inflicted upon persons committing wilful and corrupt perjury, or subornation of perjury respectively, 5 G. 4. c. 113. s. 41.

44. Where any slave or slaves that may be lawfully removed shall be sent, removed, carried, or conveyed, without observing the regulations, or any or either of them, required by this act, such slave or slaves shall be forfeited to H. M.; and where any slave or slaves shall be found on board, who shall be untruly or fraudulently described in or upon the clearance or permit required by this act, with intent to violate or elude any of the prohibitions or regulations in this act contained, the owner, master, or other person by whom or by whose procurement such slave or slaves shall be so untruly or fraudulently described, with such intent as aforesaid, shall respectively forfeit and pay the sum of 100*l.* lawful money of G. B. for every such slave or slaves; and also where the non-observance shall consist in exporting, sending, removing, carrying, or conveying any slave or slaves (not being domestics or mariners, as in this act aforesaid), without such certified copy from the registrar of the colony, as by this act is mentioned, the ship or vessel in which the same shall be so exported, sent, removed, carried, or conveyed, shall be forfeited to H. M.; and where the non-observance shall consist in embarking or carrying any slave or slaves without such certificate, the master or other person having the charge of the ship or vessel in which the same shall be so embarked and carried, without such certificate as aforesaid, shall forfeit and pay the sum of 100*l.* lawful money aforesaid for every such slave or slaves, 5 G. 4. c. 113. s. 42.

45. All ships, vessels, slaves or persons treated, dealt with, carried, kept, or detained as slaves, and all goods and effects that may become forfeited under this act, shall be seized by any officer of H. M.'s customs, or by the commanders or officers of any of H. M.'s ships or vessels of war, or any officer bearing H. M.'s commission in H. M.'s navy or army; and moreover, it shall be lawful for all governors or persons having the chief command, civil or military, of any of the colonies, settlements, forts, or factories belonging to H. M., and for all persons deputed and authorized by any such governor or commander-in-chief, to seize and prosecute all ships and vessels, slaves, or persons treated, dealt with, carried, kept, or detained as slaves, and all goods and effects whatsoever that shall or may become forfeited for any offence under this act, 5 G. 4. c. 113. s. 43.

46. The proceeds of all ships and goods seized, prosecuted, and condemned for any offence against this act, except in such seizures as shall be made at sea by the commanders or officers of H. M.'s ships or vessels of war, shall be divided, paid, and applied as follows; that is to say, after deducting the charges of prosecution from the gross amount thereof, one-third of the net proceeds shall be paid into the hands of such person as H. M. may please to appoint, for the use of H. M.; one-third part thereof to the governor or commander-in-chief of the island, colony, plantation, settlement, or territory where the said seizure shall have been made or prosecuted; and the other third part thereof to the person who shall lawfully seize, inform, and prosecute the same to condemnation; and in cases of seizures made at sea by the commanders or officers of H. M.'s ships or vessels of war, one moiety of the said net proceeds, after deducting the charges of prosecution as aforesaid, shall be paid into the hands of such person as H. M. may please to appoint, for the use of H. M., and the other moiety to the commanders or officers of H. M.'s ships or vessels of war, who shall have made the seizure, and prosecuted the same to condemnation, subject nevertheless to such distribution in the seizures made by the commanders or officers of H. M.'s ships or vessels of war, whether at sea or otherwise, as H. M. shall think fit to order and direct by any order in council, or by any proclamation to be made for that purpose, 5 G. 4. c. 113. s. 44.

47. All persons authorized to make seizures under this act shall, in making and prosecuting any such seizures, have the benefit of 4 G. 3. c. 15., intituled, *An Act for granting certain duties in the British colonies and plantations in America; for continuing, amending, and making perpetual an act, passed in the sixth year of the reign of His late Majesty King George the Second, intituled, 'An Act for the better securing and encouraging the trade of H. M.'s sugar colonies in America,' for applying the produce of such duties, and of the duties to arise by virtue of the said act, towards defraying the expences of defending, protecting, and securing the said colonies and plantations; for explaining an act made in the 25th year of the reign of King Charles the Second, intituled, 'An Act for the encouragement of the Greenland and Eastland trades, and for the better securing the plantation trade; and for altering and disallowing several drawbacks on exports from this kingdom, and more effectually preventing the clandestine conveyance of goods to and from the said colonies and plantations, and improving and securing the trade between the same and G. B.; or any other act made for the protection of officers seizing and prosecuting for any offence against the said act, relating to the trade and revenues of the British colonies or plantations in America,* 5 G. 4. c. 113. s. 45.

48. If any action or suit shall be commenced, either in G. B. or

elsewhere, against any person for any thing done in pursuance of this act, the defendant may plead the general issue, and give this act and the special matter in evidence at the trial, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant; and if the plaintiff shall be nonsuited, or discontinue his action after the defendant shall have appeared, or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant shall recover treble costs, and have the like remedy for the same as defendants have in other cases by law, 5 G. 4. c. 113. s. 46.

49. All actions, suits, bills, indictments, or informations, for the recovery of any of the penalties or forfeitures under this act, may be commenced, had, brought, sued, exhibited, or prosecuted, at any time within five years after the offence committed, by reason whereof such penalty or forfeiture shall be incurred: provided, that where any slave has been, or shall at any time be, illegally imported, nothing herein contained shall extend to prevent proceedings being commenced to obtain the condemnation or forfeiture thereof, but that the said slave so illegally imported shall and may be condemned and forfeited at any time after such illegal importation, 5 G. 4. c. 113. s. 47.

50. All offences against this act which shall be committed in any country, territory, or place, other than this U. K., or on the high seas, or in any port, sea, creek, or place where the admiral has jurisdiction, and which shall be prosecuted as piracies, felonies, robberies, or misdemeanors, shall and may be enquired of, either according to the ordinary course of law, and the provisions of 28 H. 8. c. 15., intituled, *An Act for pirates:* or according to 35 H. 8. c. 23, intituled, *An Act to proceed by commission of oyer and terminer against such persons as shall confess treason and felony, without remanding the same to be tried in the shire where the offence was committed,* as far as the same act is now [sic] repealed; or according to 11 & 12 W. 3. c. 7., intituled, *An Act passed for the more effectual suppression of piracy,* in as far as the same act is now unrepealed; or according to 46 G. 3. c. 54., intituled, *An Act passed for the more speedy trial of offences committed in distant parts, upon the seas;* and all persons convicted of any of the said offences, to be enquired of, tried, and determined, under and by virtue of any commission to be made or issued according to 46 G. 3. c. 54. aforesaid, shall be subject and liable to and shall suffer all such and the same pains, penalties, and forfeitures, as by this act, or any law or laws now in force, persons convicted of the same respectively would be subject and liable to, in case the same were respectively enquired of, tried, and determined and adjudged within this realm, by virtue of any commission made according to 28 H. 8. c. 15., 5 G. 4. c. 113. s. 48.

51. All offences against this act, which shall be committed in any place where the admiral has not jurisdiction, and not being within the local jurisdiction of any ordinary court of a British colony, settlement, plantation, or territory, competent to try such offence, may be enquired of, tried, and determined, under any commission to be issued according to 46 G. 3. c. 54., 5 G. 4. c. 113. s. 49.

52. All offences committed against this act may be enquired of, tried, determined, and dealt with, as if the same had been respectively committed within the body of the county of *Middlesex*, 5 G. 4. c. 113. s. 50.

53. Unless in cases specially provided for by this act, all forfeitures and penalties shall be prosecuted, sued for, recovered, and applied as follows; that is to say, the several pecuniary penalties and forfeitures imposed and inflicted by this act shall be sued for, prosecuted, and recovered in any court of record in G. B., or in any court of record or vice-admiralty in any part of H. M.'s dominions, wherein the offence was committed, or where the offender may be found after the commission of such offence; and all seizures of ships, vessels or boats, slaves, or persons treated, dealt with, carried, kept, or detained as slaves, goods or effects, subject to forfeiture under this act, shall be sued for, prosecuted, and recovered in any court of record in G. B., or in any court of record or vice-admiralty in any part of H. M.'s dominions in or nearest to which such seizures may be made, or to which such ships or vessels, slaves, or persons treated as slaves as aforesaid, goods or effects (if seized at sea or without the limits of any British jurisdiction), may most conveniently be carried for trial; and all the said penalties and forfeitures, whether pecuniary or specific (unless where it is expressly otherwise provided for by this act), shall go and belong to such persons, in such shares and proportions, and shall be sued for and prosecuted, tried, recovered, distributed, and applied, in such and the like manner, and by the same ways and means, and subject to the same rules and directions, as any penalties or forfeitures incurred in G. B. and in the British colonies and plantations in America respectively, by force of any act relating to the trade and revenues of the said British colonies or plantations in America, now go and belong to, and may now be sued for, prosecuted, tried, recovered, distributed, and applied respectively in G. B., or in the said colonies or plantations respectively, by 4 G. 3. c. 15. intituled [as aforesaid, see s. 45. pl. 47.], 5 G. 4. c. 113. s. 51.

54. Whereas certain treaties and conventions, and a declaration, together with certain explanatory and additional articles, still subsisting full in force, were made between His late Majesty King George the Third, and His Catholic Majesty the King of Spain, His Most Faithful Majesty the King of Portugal, and H. M. the King of the Netherlands respectively, for preventing traffic in slaves, [and which are recited at length in the act, but are too long to be given here]: And whereas by 58 G. 3. c. 36. [Stat. Dig. tit. SLAVE-TRADE, pl. 74.] intituled, *An Act to carry into execution a treaty made between H. M. and the King of Spain, for preventing traffic in slaves*; and by 58 G. 3. c. 85. [Stat. Dig. this tit., pl. 89.] intituled, *An Act to carry into execution a convention made between H. M. and the King of Portugal, for the preventing the traffic in slaves*; and by 59 G. 3. c. 16. [Stat. Dig. this tit., pl. 109.] intituled, *An Act to carry into effect the treaty with the Netherlands, relating to the slave-trade*; and by 59 G. 3. c. 17. [Stat. Dig. this tit., pl. 89.] intituled, *An Act to amend an act of the last session of parliament, for carrying into execution a convention made between H. M. and the King of Portugal, for the preventing the traffic in slaves*; it is enacted, that it shall be lawful for H. M., by any warrant under his royal sign manual, countersigned by one of H. M.'s principal secretaries of state, to appoint such commissary judges and commissioners of arbitration, judges and arbitrators, as are in and by the said treaties and conventions, and the regulations thereto annexed, mentioned to be appointed by H. M., and from time to time to supply any vacancies which may arise in such offices, by appointing other persons thereto, and to grant salaries to such commissary judges and commissioners of arbitration, judges, and arbitrators as aforesaid, not exceeding such annual sums as the commissioners of H. M.'s treasury of the U. K. shall from time to time direct; and such commissary judges, and commissioners of arbitration, judges, and arbitrators are hereby authorized and empowered to examine and decide all such cases of detention, captures, and seizures of vessels, and their cargoes as aforesaid, detained, seized, taken, or captured under the said treaties, conventions, instructions, and regulations, or included therein, as are by the said treaties, conventions, instructions, and regulations, and by these acts, made subject to their jurisdiction; and to proceed therein, and give such judgments, and make such orders therein, and to do all other acts, matters, and things appertaining thereto, agreeably to the provisions of the said treaties, conventions, and the instructions and regulations annexed thereto as aforesaid, as fully and effectually to all intents and purposes, as if special powers and authorities for that purpose were specifically and particularly inserted and given in relation thereto in these acts: now be it declared and enacted, That the said provisions as herein recited, shall continue, remain, and be in full force and effect, 5 G. 4. c. 113. s. 52.

55. And whereas in and by 58 G. 3. c. 81., and 59 G. 3. c. 17. it is enacted, that it shall be lawful for H. M., by any warrant under his royal sign manual, countersigned by one of H. M.'s principal secretaries of state for the time being, to nominate and appoint a secretary or registrar to the respective commissions and courts which shall be established in H. M.'s dominions, and from time to time supply, by other appointments, any vacancy which may thereafter occur in such office, and to grant a salary to such secretary or registrar, not exceeding such annual sum as the treasury shall from time to time direct; and such secretary or registrar is hereby respectively authorized and empowered to do, perform, and execute all the duties of such office, as set forth and described in the said treaties, conventions, instructions, and regulations respectively, and to do, perform, and execute all such acts, matters, and things, as may be necessary for the due discharge of the duties of his office, according to the provisions of the said treaties, conventions, instructions, and regulations as aforesaid: now be it declared and enacted, That the said provision as herein recited, shall continue, remain, and be in full force and effect, 5 G. 4. c. 113. s. 53.

56. It shall be lawful for the governor or lieutenant-governor, or principal magistrate of the colony or settlement in which such commission or court shall sit, within the possessions of His Britannic Majesty, to fill up every vacancy which shall arise in such commission or court, either of commissary judge, commissioner of arbitration, or any officer thereof appointed by H. M. as aforesaid, according to the provisions contained in the aforesaid regulations, annexed to the said treaties and conventions as aforesaid, *ad interim*, until such vacancy or vacancies shall be thereafter filled by some person appointed by H. M. for that purpose, 5 G. 4. c. 113. s. 54.

57. Every commissary judge and commissioner of arbitration appointed by H. M., or *ad interim* as aforesaid, shall, before he shall enter upon the execution of any of the duties of such his office, take an oath in the presence of the principal magistrate then residing and acting in the colony, settlement, or place in which the commission or court shall be appointed to reside; which oath every such magistrate in any colony, settlement, or place belonging to H. M., in which such commission or court shall be appointed, is hereby authorized to administer, in the form following; (that is to say),

' I A. B. do solemnly swear, that I will, according to the best of my skill and knowledge, act in the execution of my office as —, faithfully, impartially, fairly, and without preference or favour, either for claimants or captors, or any other persons; and that I will, to the best of my judgment and power, act in pursuance of and according to the stipulations, regulations, and instructions contained in the treaty or convention between His Majesty and His Catholic Majesty, signed at Madrid on the 23d day of Sept. 1817, [or, in the treaty between His Majesty and His Most Faithful Majesty, of the 22d day of Jan. 1815, and the additional convention thereto, signed at London on the 28th day of July 1817; or, between His Majesty and His Majesty the King of the Netherlands, signed at the Hague on the 4th day of May 1818, [as the case may require].

So help me God.'

5 G. 4. c. 113. s. 55.

58. Every secretary or registrar appointed by H. M., or *ad interim* as aforesaid, under the provisions of the said treaties, conventions, instructions, and regulations, and of this act, shall, before he enters on the duties of his said office, take an oath before the British commissary judge as aforesaid, who is hereby empowered to administer the same, in the form following; (that is to say),

' I A. B. do solemnly swear, that I will, according to the best of my skill and knowledge, act in the execution of my office, and that I will conduct myself with due respect to the authority of the commissary judges and commissioners of arbitration of the commission to which I am attached, and will act with fidelity in all the affairs which may belong to my charge, and without preference or favour either for claimants or captors or any other persons.

So help me God.'

5 G. 4. c. 113. s. 56.

59. It shall be lawful for the said commissary judges, or for any such secretary or registrar, and they are hereby respectively empowered, to administer oaths to and take the depositions of all parties, witnesses, and other persons, who may come or be brought before them to be examined, or for the purpose of deposing in the course of any proceeding before the said commissary judges and commissioners of arbitration, in the cases in which such commissioners of arbitration shall act with the said commissary judges under the said treaties, conventions, instructions, or regulations, or this act; and it shall also be lawful for the said commissary judges and commissioners of arbitration, in the cases aforesaid, to summon before them all persons whom they may deem it necessary or proper to examine, in relation to any suit, proceeding, or matter or thing under their cognizance, and to send for and issue precepts for the producing of all such papers as may relate to the matters in question before them, and to enforce all such summonses, orders, and precepts, by such and the like means, powers, and authorities, as any court of vice-admiralty may do, 5 G. 4. c. 113. s. 57.

60. Every person who shall wilfully and corruptly give false evidence in any examination or deposition or affidavit, had or taken upon or in any proceeding before the said commissary judges or commissioners aforesaid, or in any examination or deposition or affidavit, had or taken before the said secretary or registrar, under the said treaties, conventions, instructions, or regulations, or this act, shall be deemed guilty of perjury, and being thereof convicted, shall be subject and liable to all the punishments, pains, and penalties to which persons convicted of wilful and corrupt perjury are liable; and every such person may be tried for any such perjury, either in the place where the offence was committed, or in any colony or settlement of H. M. near thereto, in which there is a court of competent jurisdiction to try any such offence, or in H. M.'s court of K. B. in Eng.; and that in case of any prosecution for such offence in H. M.'s said court of K. B., the venue may be laid in the county of *Middlesex*, 5 G. 4. c. 113. s. 58.

61. The pendency of any suit or proceeding instituted before the said commissioners for the condemnation or restitution of any ship or cargo of slaves, taken, seized, or detained by virtue of the said treaties or conventions with Spain and Portugal, or instructions or regulations thereto annexed, or the final adjudication or condemnation, or judgment or determination thereupon, may be pleaded in bar or given in evidence under the general issue, and shall be and be deemed and adjudged in any court whatever, to be a good and complete bar in any action, suit, or proceeding, whether brought or instituted by any person or persons for the recovery of any ship, vessel, or cargo, or of any damage for any injury sustained thereby, or by the persons on board the same, in consequence of any capture, seizure, or detention, or act, matter, or thing done under the authority or in pursuance of the provisions of the said treaties or conventions, or of the instructions or regulations thereto annexed, 5 G. 4. c. 113. s. 59.

62. It shall not be lawful for any person to commence, prosecute, or proceed in any claim, action, or suit whatever, in the high court of admiralty, or in any other court, or before any judges or persons whomsoever, other than the several mixed courts of justice appointed under and by virtue of the treaty with the Netherlands aforesaid and this act, for the condemnation or restitution of any ship or cargo, or slaves, or for any compensation or indemnification for any loss or damage, or for

any injury sustained by such ship, cargo, or slaves, or by any persons on board any such ship, in consequence of any capture, seizure, or detention, under the authority or in pursuance of the provisions of the said treaty with the *Netherlands*, or of the instructions and regulations thereto annexed, or of this act; and that the pendency of any claim, suit, or proceeding instituted, or which may be instituted before any of the said mixed courts, so to be appointed under the authority of the said treaty with the *Netherlands*, and this act, for the condemnation or restitution of any ship or cargo, or slaves, taken, seized, or detained by virtue of the said treaty with the *Netherlands*, or of the instructions and regulations thereto annexed, or for any compensation or indemnification for any loss or damage, in consequence of the taking, seizing, or detaining any such ship, or the final adjudication, condemnation, judgment, or determination of any such mixed court, as the case shall require, may be pleaded in bar or given in evidence under the general issue; or in case no such claim, suit, or proceeding shall have been instituted before any such mixed court, then the said treaty, instructions, and regulations, and this act, may in like manner be pleaded in bar, or given in evidence under the general issue; and every such plea in bar or evidence so given under the general issue, shall be deemed and adjudged to be a good and complete bar to any such claim, action, suit, or proceeding in the said high court of admiralty, or in any court or place other than such mixed courts, 5 G. 4. c. 113. s. 60.

63. Provided, that it shall be lawful for the lords commissioners of appeal in prize causes, and for the high court of admiralty, in all cases and questions arising out of the said captures that may be depending before them, or that may be brought before them on appeal from any vice-admiralty court, according to their respective jurisdictions (except in such cases as are in and by this act expressly excepted), to proceed therein, and to hear and determine all questions respecting any right or interest in or to the same, to which H. M., or the captors or seizers of such ships, vessels, or cargoes may claim to be entitled by reason of the capture or seizure thereof, and the laws relating thereto, and to enforce their judgments and orders therein by the usual process of the said courts, 5 G. 4. c. 113. s. 61.

64. Provided, that in all cases of *Spanish* and *Portuguese* ships captured and proceeded against, and for which indemnification has or may be made, in pursuance of the said treaties or conventions aforesaid, and in which the captors or seizers shall not establish any right or interest on their behalf, by reason of the capture thereof, and the laws relating thereto, it shall be lawful for the said court respectively, to order and adjudge the ships, vessels, and cargoes, or the proceeds thereof, and all and every part thereof, unto or to which the captors shall not establish any right or interest as aforesaid, to be delivered or paid to the use of H. M., to such person as the treasury for the time being shall appoint to receive the same, and to enforce the delivery or the payment thereof by the usual process, as is used and established by law in cases of prize, 5 G. 4. c. 113. s. 62.

65. And whereas several vessels belonging to the subjects of *Spain*, *Portugal*, and the *Netherlands* respectively, have been captured between the 17th Feb. 1815, and the period at which the commissioners appointed in virtue of the before mentioned treaties or conventions have assembled: and whereas the vessels belonging to the subjects of *Portugal* so captured as aforesaid, are by the additional convention with that state, bearing date the 28th July 1817, made the subject of special adjudication under the mixed commission established in *London*: and whereas during the period aforesaid, certain proceedings have been had and decrees have been made without due authority or jurisdiction, in the vice-admiralty court at *Sierra Leone*, in respect of seizures of the vessels and cargoes belonging to the subjects of *Spain*, *Portugal*, and the *Netherlands*, some or all of them, for alleged contravention of the said treaties or conventions: and whereas it is expedient and necessary to make further provisions and regulations respecting all the aforesaid ships and cargoes, and also for the payment of bounties in certain cases for slaves seized and taken on board the said ships; be it further enacted, That it shall be lawful for the treasury to direct the original papers and proceedings respecting all ships, vessels, and cargoes belonging to any of the subjects of *Spain*, *Portugal*, or the *Netherlands*, condemned in the vice-admiralty court at *Sierra Leone* since the 17th Feb. 1817, to be transmitted to the registry of the high court of admiralty of *Eng.*; and further, to direct the proceeds of such ships and cargoes, in whosoever possession the same may be, to be remitted and paid for the use of H. M., in such manner as the treasury may direct and appoint; and further, that it shall be lawful for the treasury to institute proceedings in the said high court of admiralty, against any person in possession of the said proceeds, for the purpose of obtaining payment of the same, and to enforce the payment thereof by process of the said court, and to reward the captors in all cases where contravention of treaty has taken place, by granting to them one moiety of the proceeds of every ship and cargo captured as aforesaid; and the remaining moiety of the said proceeds shall be paid to such person as the treasury shall

direct or appoint to receive the same for the use of H. M., 5 G. 4. c. 113. s. 63.

66. Provided, that the captors shall not be entitled to any such reward, where the mixed commission, established in *London* for the adjudication of the claims of *Portuguese* subjects, have awarded or may hereafter award indemnification to be made to the *Portuguese* owners, 6 G. 4. c. 113. s. 64.

67. In every seizure of any ship or vessel for being engaged or employed in the illicit traffic in slaves, by any of H. M.'s ships or vessels of war, or any ship or vessel duly commissioned by any governor or lieutenant-governor of any of H. M.'s colonies or settlements, in which it shall appear to the satisfaction of the lord high treasurer or the commissioners of H. M.'s treasury for the time being, that such seizure has not been wantonly or improperly made, it shall be lawful for the treasury to order and direct that all the costs, charges, and expences which may have been or may be incurred by the person making such seizures, in any proceedings, or for any matter or thing relating thereto, or arising out of any such seizure, shall be paid and defrayed out of the proceeds of such capture or seizure, or out of any of the proceeds of the said vessels or cargoes, paid or to be paid to the order of the treasury under the provisions of this act, 5 G. 4. c. 113. s. 65.

68. Wherever ships and cargoes captured by any of H. M.'s ships of war, or by any ship or vessel commissioned by any governor or lieutenant-governor of any of H. M.'s colonies or settlements, have been in fact condemned for illicit trading in slaves, contrary to the treaties or conventions made between the governments of *Spain*, *Portugal*, or the *Netherlands*, and where distribution of the proceeds thereof has been made prior to the 10th July 1821, the said captors shall be confirmed, and are hereby confirmed in the possession of the said proceeds; any law, statute, or usage, to the contrary notwithstanding, 5 G. 4. c. 113. s. 66.

69. Where any ship or vessel employed or engaged in illicit traffic in slaves, in violation of any of the said conventions herein-before mentioned, shall be seized by any ship or vessel belonging to H. M., duly authorized under the provisions of the said conventions to make such seizure, and shall be afterwards condemned by any of the commissioners appointed in virtue of the treaties or conventions aforesaid, there shall be paid to the captors the moiety to which H. M. is entitled, under the said treaties or conventions of the net proceeds of the said ship and cargo; the said moiety of the said net proceeds to be distributed in the manner hereafter directed for the distribution of bounties on slaves taken on board the said vessels, 5 G. 4. c. 113. s. 67.

70. There shall be paid out of the consolidated fund of the U. K. a bounty of 10*l.* of lawful money of *G. B.*, for every man, woman, and child slave seized and found on board any ship or vessel taken, and by the commissioners appointed in virtue of any of the said treaties or conventions, condemned for illicit traffic in slaves, in violation of any of the provisions of the said conventions, such bounty to be issued and paid by order from the treasury, and to be distributed to and amongst the captors aforesaid, in such manner and proportions as H. M. shall think fit to order and direct, by any order or orders in council, or by any proclamation or proclamations to be made for that purpose, 5 G. 4. c. 113. s. 68.

71. And whereas, besides the treaties herein-before mentioned, a certain other treaty was concluded with His Royal Highness the Prince Regent of *Portugal*, on the 19th Feb. 1810: and whereas prior to the passing of this act, and since the conclusion of the said treaties respectively, divers seizures have been made of ships, cargoes, and slaves on board the said ships, the said ships being engaged in traffic for slaves, contrary to the provisions of the said treaties, some or one of them; be it further enacted, That in all captures of *Portuguese* vessels, made by any of H. M.'s ships of war, or any ship or vessel duly commissioned by any governor or lieutenant-governor of any of H. M.'s colonies or settlements, between the 1st Jan. 1814, and 28th July 1817, which said vessels shall have violated any treaty or convention with *Portugal*, there shall be paid a like bounty of 10*l.* for every man, woman, and child slave so seized and taken; and in all captures of vessels belonging to *Spain*, *Portugal*, or the *Netherlands*, captured by any of H. M.'s ships or vessels duly authorized under the provisions of the said treaties, of the 28th July 1817 with *Portugal*, the said 25d Sept. 1817 with *Spain*, and the said 4th May 1818 with the *Netherlands*, prior to the passing of this act, and condemned for contravention of the provisions thereof, there shall be paid a like bounty of 10*l.* for every man, woman, and child slave found on board any such vessel, to be distributed to the captors thereof, in the same manner as is by the provisions of this act herein-before directed: provided, that in all cases in which the proceeds of any such capture shall have been distributed among the captors, and allowed to be retained by such captors, under the provisions of this act, the amount of the moiety of the proceeds shall be deducted from such bounties, 5 G. 4. c. 113. s. 69.

72. Provided, that in all cases where any bounty or bounties, or any

SPIRITUAL PERSONS.

1. To inflict the like punishments on clerks in orders, guilty of petty treason, arson, murder, sodomy, robbery, burglary, or other felony, as on laymen guilty of the like offences, 6 G. 4. c. 25. s. 3. [Note. — This title is framed to shew the object of this provision. See 22 H. 8. c. 14. s. 5. Stat. Dig. tit. FELONS, &c. pl. 27. — 25 H. 8. c. 3. s. 2. Stat. Dig. tit. BENEFIT OF CLERGY, pl. 9. — 25 H. 8. c. 6. Stat. Dig. tit. SODOMY. — The rest of 6 G. 4. c. 25. will be found tits. BENEFIT OF CLERGY; PARDON.]

2. Whereas by 28 H. 8. c. 1. [viz. s. 7. Stat. Dig. tit. SPIRITUAL PERSONS, pl. 39.] it was enacted, that such as were within holy orders should from thenceforth stand and be under the same pains and dangers for the offences therein referred to, and should be used and ordered to all intents and purposes as other persons not being within holy orders; which enactment has been considered to have been repealed by 1 Ed. 6. c. 12. s. 4. [Stat. Dig. tit. FELONS, &c. pl. 35.] or by 1 M. st. 1. c. 1. s. 5. [Stat. Dig. tit. id. pl. 35.]: and whereas it is expedient to revive the said provision of the said act of H. 8., it is enacted, That clerks in holy orders, being convicted of felony, shall stand and be under the same pains and dangers for the same, and shall be used and ordered to all intents and purposes as other persons not being in holy orders; any law, statute, or usage to the contrary notwithstanding, 6 G. 4. c. 25. s. 3.

3. The allowance of the benefit of clergy to any person who shall after the passing of this act be convicted of any felony, shall not render the person to whom such benefit is allowed dispunishable for any other felony by him or her committed before the time of such allowance, any law, custom, or usage to the contrary notwithstanding, 6 G. 4. c. 25. s. 4.

SOLDIERS.

1. To amend two acts of the 58th year of His late Majesty, for regulating the payment of regimental debts, and the distribution of the effects of officers and soldiers dying in service, and the receipt of sums due to soldiers; and of the 4th year of His present Majesty, for punishing mutiny and desertion of officers and soldiers in the service of the E. I. C., 6 G. 4. c. 61.

2. Whereas 58 G. 3. c. 73. was passed, intituled, *An Act for regulating the payment of regimental debts, and the distribution of the effects of officers and soldiers dying in service, and the receipt of sums due to soldiers*: and whereas by 4 G. 4. c. 81. s. 49. [tit. EAST INDIA COMPANY, pl. 59.] intituled, *An Act to consolidate and amend the laws for punishing mutiny and desertion of officers and soldiers in the service of the E. I. C., and to authorize soldiers and sailors in the E. I. to send and receive letters at a reduced rate of postage*, and by certain articles of war made in pursuance thereof, provision is made for the care and application of the effects and credits of deceased officers and soldiers in the said Co.'s service: and whereas the transmission to regimental agents or other persons of the effects or proceeds of effects of officers and soldiers dying in H. M.'s service, or in the service of the said Co., has been found highly beneficial in securing an early distribution of such effects among the relations of such officers and soldiers at small expence, and many sums are thereby saved to the relations of soldiers, which would otherwise be, from their small amount, wholly lost; and it is therefore expedient to render the provisions of the said recited acts, relating to such matters, more effectual: be it therefore enacted, That it shall be lawful for all officers and persons who may be employed or required by or under the authority of any articles of war in force for the time being, either for the officers or soldiers in the service of H. M., or for the *European* officers or soldiers in the service of the said Co., to take care of or collect, or superintend and direct the collection of the effects of officers or soldiers dying in service out of the U. K., to ask, demand, and receive any such effects, and to commence, prosecute, and carry on any actions or suits for the recovery thereof, without taking out any letters of administration, either with any will annexed or otherwise, in like manner in every respect as if such officers or persons had been appointed executors, or had taken out letters of administration of such effects; and no registrar of any court in the E. I., or elsewhere in any colonies or possessions of H. M. abroad, shall in any manner interpose in relation to any such effects, unless required or authorized so to do by any such officers or

persons under the provisions of this act; any act or acts of parliament, law, statute, or usage to the contrary notwithstanding, 6 G. 4. c. 61. s. 1.

3. Such effects or proceeds of effects, when remitted to any regimental agent or other person, under any order or regulation of the secretary at war in that behalf, or of the military secretary to the government of any of the said Co.'s presidencies respectively, shall not, by reason of coming into the hands of such agent or person, be deemed or taken to be assets or effects within the province in which such agent or person shall reside, so as to render it necessary that administration should be taken out in respect thereof in such province, unless administration of any other effects of the officer or soldier to whom the proceeds so remitted shall have belonged shall have been or shall be taken out in such province; and it shall be lawful for the secretary at war, in all cases relating to the effects of any officer or soldier in H. M.'s service, and for the military secretary to the government of the presidency to which the deceased officer or soldier shall have belonged, in all cases relating to the effects of any *European* officer or soldier in the service of the said Co., to order that any such effects or proceeds of any such effects shall be remitted to any other place where the same can be more conveniently paid over to the person entitled thereto; and the obedience to any such orders by any agent or person to whose hands any such effects shall come, shall be a sufficient discharge to such agent or person; and no such agent or person shall be liable to any action or suit by reason of any such effects or proceeds of effects having been in his hands, and thereafter transmitted under the order of the secretary at war or military secretary respectively in that behalf, 6 G. 4. c. 61. s. 2.

4. It shall be lawful for the secretary at war, in the case of any officer or soldier in H. M.'s service, and for the military secretary to the government of the presidency to which the deceased officer or soldier shall have belonged, in the case of any *European* officer or soldier in the service of the said Co., to order or direct the payment of any charges or expences attending or relating to the illness or funeral of any such officer or soldier, out of any such effects or proceeds of effects, or out of any arrears of pay or half pay, and that such charges and expences, together with all regimental debts and military payments which may be allowed under the provisions of any act or acts of parliament, or articles of war made in pursuance thereof, shall be made out of such effects or proceeds of effects, or arrears of pay or half pay, and the surplus only, after such payment, shall be deemed the personal estate of the deceased, 6 G. 4. c. 61. s. 3.

STAMPS.

Duties.

1. The duties of stamps have been altered or repealed upon the following subjects; which see *post*, this title:

Conveyances, 3 G. 4. c. 117.
Law Proceedings, 5 G. 4. c. 41.
Newspapers, 6 G. 4. c. 119.
Post Horses, &c., 4 G. 4. c. 62.
Stage Coaches, 3 G. 4. c. 95.

General Regulations.

2. To amend 1 & 2 G. 4. c. 55. [Stat. Dig. tit. STAMPS (*General Regulations*), pl. 103], for removing doubts as to the amount of certain stamp-duties in G. B. and Ire. respectively, 3 G. 4. c. 117. s. 5. [See rest of this act, *post*, this title, CONVEYANCES.]

3. Whereas by 1 & 2 G. 4. c. 55. s. 4., it is provided, that any deed, agreement, or other instrument duly stamped pursuant to the said act shall not be liable to any stamp-duty by reason of the same also containing any covenant, agreement, or obligation for the payment of any sum of money, at whatever place such money may be made payable, or may by law be payable: and it is expedient to repeal the said provision in manner herein-after contained: be it therefore enacted, That the said recited provision shall be and the same is hereby repealed, so far as the same relates to any such covenant, agreement, or obligation for the payment of any money which either by law or by the terms of such covenant, agreement, or obligation, shall be payable in Ire., 3 G. 4. c. 117. s. 5.

Articled Clerks.

4. To allow, until the 5th July 1825, the enrolment of articles of clerkship to solicitors and attornies in Eng., and the making and filing of affidavits relating thereto, in certain

cases, where the same may have been omitted or neglected, 6 G.4. c.45.]

5. Whereas by 34 G.3. c.14. s.2., [Stat. Dig. tit. STAMPS (*Articled Clerks.*), pl. 246.] intituled, *An Act for granting to H. M. certain stamp-duties on indentures of clerkship to solicitors and attornies in any of the courts in Eng. therein mentioned*; it is amongst other things enacted [as in Stat. Dig. tit. STAMPS (*Articled Clerks.*), pl. 246. is mentioned]: and whereas it may happen in certain cases, that such contracts and the indentures thereof may not have been enrolled or registered, and that such affidavits may not have been made and filed within the time allowed for that purpose by the said recited act: be it therefore enacted, That it shall be lawful for every person who at any time before the passing of this act shall have neglected or omitted to cause any such contract or indenture to be enrolled or registered, or who shall have neglected or omitted to cause any such affidavit or affidavits as aforesaid to be made and filed pursuant to the directions of the said recited act, to cause any such contract or indenture duly stamped to be enrolled or registered at any time on or before the 5th July next after the passing of this act [22d June 1825], with the proper officer in that behalf; and also, at any time on or before the said 5th July, to cause any one or more affidavit or affidavits to be made and filed in such manner as the same ought to have been made and filed within the time allowed for that purpose by the said recited act; and every person who shall cause any such contract or indenture to be so enrolled or registered, and any such affidavit or affidavits to be so made and filed, at any time on or before the said 5th July 1825, shall be indemnified, released, freed, and discharged from and against all penalties, forfeitures, incapacities, and disabilities in or by the said recited act, or in or by any other act or acts mentioned or incurred for or by reason of any such neglect or omission as aforesaid; and every such contract or indenture so to be enrolled, and every such affidavit so to be made and filed respectively, and which shall be enrolled or registered, or made and filed respectively at any time on or before the said 5th July, shall be as effectual, to all intents and purposes, as if the same had been enrolled or registered, and as if the same affidavit had been made and filed, within the respective times within which the same ought to have been enrolled and registered respectively, and the service of the clerk under any such contract or indenture shall be deemed to have commenced from the time of the execution of such contract or indenture; and it shall be lawful for the respective officer or officers who ought to receive, enrol, register, make, and file every such contract or indenture and affidavit respectively, and such officer or officers respectively are hereby authorized and required to receive, enrol, and register, and to make and file every such contract, indenture, or affidavit respectively; at any time on or before the said 5th July, 6 G.4. c.45.

Attornies' Certificates.

6. To prevent articled clerks of attornies, and others, in G. B., from being prejudiced by the neglect of such attornies, and others, in omitting to take out their annual certificates, 6 G.4. c.46.

7. Whereas by 37 G.3. c.90. [Stat. Dig. tit. STAMPS (*Attornies' Certificates.*), pl. 271, 272.], s.31. intituled, *An Act for granting to H. M. certain stamp-duties on the several matters therein mentioned, and for better securing the duties on certificates to be taken out by solicitors, attornies, and others practising in certain courts of justice in G. B.*; it is amongst other things enacted, [as in Stat. Dig. tit. STAMPS (*Attornies' Certificates.*), pl. 272. is set forth]: and whereas it may happen that some solicitors, attornies, notaries, proctors, agents, or procurators may have omitted or may omit to take out the annual certificates, or to enter, enrol, or register the same, as directed by the said act, whereby infants and other persons who may have served or who may serve under contract or articles of clerkship to such solicitors, attornies, notaries, proctors, agents, or procurators, have been and may be prevented and disqualified from being admitted to practise as solicitors, attornies, notaries, proctors, agents, or procurators, in the several courts of G. B.: and it is expedient to provide for the relief of such infants and other persons who may have served or who may serve as aforesaid: be it therefore enacted, That from and after the passing of this act [22d June 1825], no person who shall have regularly served any attorney, solicitor, proctor, writer to the signet, agent, procurator, or notary public, for the term of years required by law, shall be prevented or disqualified from being admitted an attorney, solicitor, proctor, writer to the signet, agent, procurator, or notary public, by reason of any omission of the person to whom he served for the same term, or for any part thereof, having so neglected to take out his annual certificate, or to register the same; provided that such person be otherwise entitled to be so admitted by the laws now in force relating thereto, 6 G.4. c.46.

Conveyances.

8. To reduce the stamp-duties on reconveyances of mortgages, and in certain other cases, 3 G.4. c.117. [See rest of this act, s.5. ante, this title, pl. 2.]

9. Whereas by 55 G.3. c.184. [Stat. Dig. tit. STAMPS], intituled, *An Act for repealing the stamp-duties on deeds, law proceedings, and other written or printed instruments, and the duties on fire insurances, and on legacies and successions to personal estates upon intestacies, now payable in G. B., and for granting other duties in lieu thereof*; and by 56 G.3. c.56., intituled, *An Act to repeal the several stamp-duties in Ire.; and also several acts for the collection and management of the said duties, and to grant new stamp-duties in lieu thereof, and to make more effectual regulations for collecting and managing the said duties*; and by the schedules to the said acts respectively annexed, certain *ad valorem* duties, and other duties were imposed on any transfer, assignment, disposition, assignation, or reconveyance of any mortgage or wadset, or other such security as in the said acts, and the schedules thereto annexed, are mentioned, specified, and contained; and by the 56 G.3. c.56., and the said schedule thereto annexed, a duty of 3d. was also imposed on every promissory note, whether in the form of a bank note, bank post bill, or otherwise, issued by the governor and company of the bank of Ire., or by any registered banker or bankers in Ire., where the sum therein expressed should not amount to 5l.: and whereas it is expedient that the said several duties should be repealed, and that other duties should be granted in lieu thereof, in manner herein-after mentioned: be it enacted, That from and after the expiration of 10 days after the passing of this act [5th Aug. 1822], the said several duties herein-before mentioned shall be and the same are hereby repealed, save as to the raising, receiving, allowing or paying any arrears of the said duties under the said acts or either of them respectively; and save as to any proceedings commenced or to be commenced in any court, against any person for or by reason of any fine or punishment in respect of any offence committed, in anywise relating to the collection or management of the said duties so repealed, 3 G.4. c.117. s.1.

10. From and after the expiration of 10 days next after the passing of this act [5th Aug. 1822], in lieu and instead of the duties by this act repealed, there shall be granted, raised, levied, collected, and paid in Ire., unto H. M. the several sums of money and duties following; that is to say,

Upon any transfer, assignment, disposition, assignation, or reconveyance of any mortgage, or of any other security in the said acts, and the schedules thereto annexed, in that respect severally mentioned, or of the benefit thereof, or of the money or stock thereby secured; provided no further sum of money or stock be added to the principal or stock already secured, there shall be paid for the first skin or piece of vellum or parchment, or sheet or piece of paper, upon which such transfer, assignment, disposition, assignation, or reconveyance shall be ingrossed, written or printed,

In G. B. a stamp duty of 1l. 15s.

In Ire. (*British currency*), 1l.

And where any such transfer or assignment, disposition or assignation, in G. B., hereby charged with a duty of 1l. 15s., together with any schedule, receipt, or other matter put or indorsed thereon, or annexed thereto, shall contain 2160 words, or upwards.

Then for every entire quantity of 1080 words contained therein, over and above the first 1080 words, there shall be paid a further progressive duty of 1l. 5s.

And for every skin or piece of vellum or parchment, or sheet or piece of paper beyond the first, upon which any such transfer, assignment, or reconveyance shall be ingrossed, written or printed in Ire., there shall be paid the sum of 10s. *British currency*.

And, if any further sum of money or stock shall be added to the principal money or stock already secured, the *ad valorem* duty on mortgages, payable under the said recited acts respectively, shall be charged only in respect of such further money or stock.

And upon every promissory note, whether in the form of a bank note, bank post bill, or otherwise, which shall be issued by the bank of Ire., or by any banker in Ire., who shall have registered his name or firm, in manner directed by law where the sum therein expressed shall not amount to 5l., there shall be paid the sum of one penny halfpenny *Ir. currency*, and no more,

3 G.4. c.117. s.2.

11. Where any deed or other instrument already made or hereafter to be made as an additional or further security for any sum of money, or any share in any of the government or parliamentary stocks or funds, or in the stock and funds of the bank of Eng. or of the bank of Ire., already or previously secured by any bond on which the *ad valorem* duty on bonds, charged by the 55 G.3. c.184. and 56 G.3. c.56., and the

schedules thereto respectively annexed, shall have been paid, such deed or other instrument shall be and be deemed to be and to have been exempt from the several *ad valorem* duties charged by the said acts, and the said schedules respectively, on mortgages, and shall be charged only with the ordinary duty payable on deeds in general, in *G. B.* and *Ire.* respectively; but if any further sum of money or stock shall be added to the principal money or stock already secured, the said *ad valorem* duties respectively shall be charged in respect of such further sum of money or stock; and if necessary for the sake of evidence, the deeds and instruments hereby exempted from the said *ad valorem* duties shall be stamped with a particular stamp for denoting or testifying the payment of the *ad valorem* duty upon all the deeds and instruments relating to the particular transaction, provided such deeds and instruments shall be produced at the stamp-office in *London* or *Dublin* (as the case may require), and shall appear to be duly stamped with the duties to which they are liable, 3 *G. 4. c. 117. s. 3.*

12. And whereas by the 55 *G. 3. c. 184.* and 56 *G. 3. c. 56.*, and by the schedules thereto respectively annexed, certain *ad valorem* duties are payable upon every grant or appointment by *H. M.*, or by the lord-lieutenant or other chief governor of *Ire.* for the time being, or by any other person, body politic or corporate, of or to any office or employment by letters patent, deed, or other writing: and whereas it frequently happens that persons holding such offices or employments in *H. M.*'s customs in *G. B.* and *Ire.* respectively, are promoted from one office to another, and the grants on such promotions are chargeable with the whole of the *ad valorem* duty now payable upon the appointment to each office respectively; and it is expedient that upon the promotion of any person from any office or employment in *H. M.*'s customs in *G. B.* and *Ire.* respectively, in respect of which he shall have once paid the *ad valorem* duty, to any other office or employment therein, the *ad valorem* duty should not be calculated upon the whole of the salary, fees, or emoluments appertaining to the office or employment to which he shall be promoted, but only to the increase gained by such promotion; be it therefore enacted, That in all such cases of promotion as aforesaid, the *ad valorem* duty shall be paid and payable on the appointment to which such officer shall be promoted, in respect of the increase only of such salary, fees, and emoluments, above the salary, fees, and emoluments of the office or employment, from which the party promoted shall have been removed, unless the amount of such increase shall be equal in amount to the original salary; and in that case, the full *ad valorem* duty shall be paid on such appointment, as is payable under the said acts respectively, 3 *G. 4. c. 117. s. 4.* [See *s. 5. ante, pl. 2.*]

13. The duties hereby granted shall be under the management of the commissioners of stamps in *G. B.* and *Ire.* respectively; and all the powers, provisions, clauses, regulations, and directions, fines, forfeitures, pains, and penalties, contained in and imposed by the several acts relating to *H. M.*'s stamp-duties in *G. B.* and *Ire.* respectively, and to the vellum, parchment, and paper, instruments, matters, and things charged or chargeable therewith, shall, so far as the same are or shall be applicable, be of full force and effect, and be observed, applied, enforced, and put in execution for raising, levying, collecting, securing, and applying the duties hereby granted, and otherwise relating thereto, as far as the same are not repealed, or shall not be superseded by or inconsistent with the express provisions of this act, as fully and effectually as if the same had been herein repeated and specially enacted with reference to the said duties hereby granted, 3 *G. 4. c. 117. s. 6.*

Law Proceedings.

14. To repeal certain duties on law proceedings in the courts in *G. B.* and *Ire.* respectively; and for better protecting the duties payable upon stamped vellum, parchment, or paper, 5 *G. 4. c. 41.*

15. Whereas it is expedient to repeal the several stamp-duties payable for or in respect of the several instruments herein-after mentioned; be it therefore enacted, That from and after the 10th *Oct.* 1824, the several stamp-duties or sums of money now payable in *G. B.* and *Ire.* respectively, upon or for or in respect of the several instruments, matters, or things mentioned, described, and set forth in the schedule to this act annexed; and also upon or for or in respect of any bond to be given to the lord chancellor, lord keeper, or commissioners of the great seal of *G. B.* or *Ire.* respectively, for the time being, by any creditor or creditors petitioning for a commission of bankrupt; and also upon or for or in respect of any bond to be given in *G. B.* or *Ire.* to any sheriff or other person upon the replevy of any goods or chattels; and also for or upon or in respect of the assignment of any of such bonds; and also for or upon or in respect of any copy or extract of any will or codicil deposited in any ecclesiastical court in *G. B.* or *Ire.*; and also for or upon or in respect of any letter or power of attorney or proxy filed in any such ecclesiastical court; and also for or in respect of the vellum,

parchment, or paper upon which any such instrument, matter or thing, bond, assignment, copy or extract, letter or power of attorney or proxy, shall be written or printed, shall cease and determine; save and except such of the said respective duties, or so much and such part thereof, as shall have become or shall be payable or become due before or upon the 10th *Oct.* 1824, and remain in arrear or unpaid afterwards; all which duties, or any part which shall remain so in arrear or unpaid as aforesaid, shall be recoverable by the same ways and means, and with such and the same penalties, and in such and the same manner in all respects, as if this act had not been made, 5 *G. 4. c. 41. s. 1.*

16. It shall be lawful for all persons having in their possession any stamped paper, not made use of, and which by the operation of this act is rendered unfit for the instruments for which the same was originally intended, to send such stamped paper to the head office of stamps in *Eng. Scot.* or *Ire.* respectively, at any time within six calendar months from and after the 10th *Oct.* 1824; and it shall be lawful for the commissioners of stamps in *G. B.* and *Ire.* respectively to cause the stamps upon such paper to be cancelled, and to deliver out in lieu thereof other stamps, as near as may be of equal value in the whole with the stamps so cancelled, and, if necessary, to pay the difference out of any monies in the hands of the receiver-general of the stamp-duties in *G. B.* or *Ire.* respectively, 5 *G. 4. c. 41. s. 2.* EXP.

17. Whereas it is expedient to make provision for the better protecting the duties payable to *H. M.*, his heirs and successors, upon stamped vellum, parchment, or paper; be it therefore further enacted, That in any suit, prosecution, or proceeding to be brought against any person, or body politic or corporate, for the taking or detaining, or for the losing, damaging, or destroying of any vellum, parchment, or paper upon which any stamp or stamped mark or marks denoting any duty imposed by law hath been impressed or put, or for any other cause of action or proceeding relating to the same respectively, such suit, prosecution, or proceeding shall and may be commenced, instituted, and proceeded in in the name of *H. M.*, his heirs and successors, or in the name of the attorney or solicitor-general in *Eng.* or *Ire.*, or of the advocate or solicitor-general in *Scot.* respectively for the time being, for and on behalf of His said Majesty, his heirs and successors; and that in all such suits, prosecutions, or proceedings, the property in such vellum, parchment, or paper so stamped, marked, and impressed as aforesaid, shall be described to be and shall be deemed and taken to be in *H. M.*, his heirs and successors, and that the value of the same respectively shall be deemed and taken to be the amount of the value of the vellum, parchment, and paper, and of the stamp-duty or stamp-duties denoted by the stamp or stamps, mark or marks, so impressed and put upon the same respectively; and further, that in every prosecution for embezzling or stealing such vellum, parchment, or paper so stamped, marked, and impressed as aforesaid, or for any other offence for or relating to the same respectively, it shall be sufficient in the indictment or information to state and describe the property in the same to be in *H. M.*, his heirs and successors, which property shall be deemed and taken to be vested in His said Majesty, his heirs and successors accordingly, 5 *G. 4. c. 41. s. 3.*

The SCHEDULE to which 5 *G. 4. c. 41. s. 1. pl. 15.* refers. [See 55 *G. 3. c. 184. schedule. Stat. Dig. tit. STAMPS.*]

I. PROCEEDINGS in the high court of admiralty; and in the courts of the cinque ports, exercising admiralty jurisdiction; the high court of appeals in prize causes; and the high court of delegates, in admiralty matters in *Eng.*

AFFIDAVIT to be filed, read, or used in any suit in any of the said courts	£0 5 0
ALLEGATION in any of the said courts	0 5 0
ANSWER in any of the said courts	0 5 0
APPEAL from any definitive sentence or final decree, or from any interlocutory decree or order of any of the said courts, or from the court of vice-admiralty, when interposed before a notary public in <i>Eng.</i>	£15 0 0
ATTACHMENT issuing out of any of the said courts	1 10 0
BAIL BOND, or recognizance, taken in any suit in any of the said courts, or by commission from the same	£1 0 0
CITATION issuing out of any of the said courts	1 0 0
COMMISSION issuing out of any of the said courts in any suit	0 5 0
COPY (<i>i. e.</i> office copy) of any affidavit filed, read, or used in any of the said courts	£0 5 0
COPY (<i>i. e.</i> office copy) of any citation, monition, or warrant issued out of any of the said courts	£0 5 0
COPY (<i>i. e.</i> office copy) of any libel, allegation, answer, interrogatories, depositions, or inventory filed or exhibited in any of the said courts	£0 5 0
COPY (<i>i. e.</i> office copy) of any interlocutory decree or order, or of any definitive sentence or final decree made in any of the said courts	£0 5 0
DECREE, or order interlocutory, made in any of the said courts	1 0 0
DEPOSITIONS taken in any of the said courts, or by commission from the same	£0 5 0
INHIBITION issuing out of any of the said courts	1 0 0
INTERROGATORIES filed or exhibited in any of the said courts	0 5 0
INVENTORY filed or exhibited in any suit in any of the said courts	0 5 0
LIBEL filed or exhibited in any of the said courts	0 5 0
MONITION issuing of the said courts	1 0 0
RELAXATION of any attachment or inhibition issued out of any of the said courts	£1 10 0
SENTENCE definitive, or final decree, of any of the said courts	1 10 0
WARRANT issuing out of any of the said courts	0 15 0

WARRANT, mandate, or authority, given to any proctor to commence, carry on, or defend any action, suit, or prosecution in any of the said courts, for the memorandum or minute thereof, to be entered or filed of record £0 5 0

II. PROCEEDINGS in the ecclesiastical courts, and in the high court of delegates in ecclesiastical matters in Eng.

AFFIDAVIT to be filed, read, or used in any suit in any of the said courts £0 5 0
 ALLEGATION in any of the said courts 0 5 0
 ANSWER in any of the said courts 0 5 0
 APPEAL from any definitive sentence or final decree, or from any interlocutory decree, or order of the court of arches, or the prerogative court of *Canterbury* or *York* £15 0 0
 CITATION issuing out of any of the said courts 0 5 0
 COMMISSION issuing out of the said courts in any suit 0 5 0
 COPY (*i. e.* office copy) of any affidavit filed, read, or used in any of the said courts £0 5 0
 COPY (*i. e.* office copy) of any citation or monition issued out of any of the said courts £0 5 0
 COPY (*i. e.* office copy) of any libel, allegation, answer, interrogatories, depositions, or inventory, filed or exhibited in any of the said courts £0 5 0
 COPY (*i. e.* office copy) of any interlocutory decree or order, or of any definitive sentence or final decree of any of the said courts £0 5 0
 DECREE, final, or definitive sentence, in any of the said courts 0 5 0
 DEPOSITIONS taken in any of the said courts, or by commission from the same £0 5 0
 INHIBITION issuing out of any of the said courts 0 5 0
 INTERROGATORIES filed or exhibited in any of the said courts 0 5 0
 INVENTORY filed or exhibited in any suit in any of the said courts 0 5 0
 LIBEL filed or exhibited in any of the said courts 0 5 0
 MONITION issuing out of any of the said courts 0 5 0
 SENTENCE definitive, or final decree, of any of the said courts 0 5 0
 WARRANT, mandate, or authority, given to any proctor to commence, carry on, or defend any suit or prosecution in any of the said courts, for the memorandum or minutes thereof to be entered or filed of record £0 5 6

III. PROCEEDINGS in the courts of law and equity at *Westminster*, including the court of the duchy of *Lancaster*, and in other courts in Eng., and the offices belonging thereto; and also before the lord high chancellor, or the keeper, or commissioners for the custody of the great seal, in matters of bankruptcy and lunacy.

ACTIONS in the courts of the lord mayor and sheriffs of *London*, and in the courts of all corporations, and other courts whatsoever in Eng., holding pleas, where the debt or damage amounts to 40s. or above, and out of which no writs, processes, or mandates issue, in the first instance; for the entry of every action or plaint, except where the debt or damage claimed or demanded shall not amount to 40s. £0 2 6
 AFFIDAVIT to be filed, read, or used in any action or suit in any of the courts of law or equity at *Westminster*, or of the great sessions in *Wa.*, or of the counties palatine of *Chester*, *Lancaster*, and *Durham*, or before any judge or master, or other officer of any of the said courts, or before the lord high chancellor, or the lord keeper, or commissioners of the great seal, sitting in matters of bankruptcy or lunacy £0 2 6
 AFFIDAVIT to be filed, read, or used in any other court of law or equity in Eng., except in actions or suits where the debt or damage, or thing claimed or demanded, shall be under the amount or value of 40s. £0 1 6
 ANSWER in any court of equity 0 5 0
 APPEARANCE filed or entered in any action at law wherein no bail shall be filed or put in £0 2 6
 ASSIGNMENT of a bail bond 0 2 6
 BAIL, common, to be filed in any court of law 0 2 6
 BAIL, special, to be filed in any court of law 0 2 6
 BAIL BOND in any action in any court of law 0 2 6
 BANKRUPT'S certificate, the confirmation thereof by the lord chancellor, or by the lord keeper, or commissioners for the custody of the great seal £0 2 0
 BILL filed in any court of equity 0 5 0
 CERTIFICATE by any master of the high court of chancery, or by H. M.'s remembrancer of the court of exchequer or his deputy, of any default of any person in any suit or proceeding before them £0 5 0
 COMMISSION out of any court of law or equity, in any suit 0 10 0
 COMMISSION out of any court of law or equity for the examination of witnesses or taking depositions £0 5 0
 COMMISSION of any other kind, out of any courts of law or equity, in any suit £0 5 0
 COPY (*i. e.* office copy) of any affidavit filed, read, or used in any of the courts of law or equity at *Westminster*, or of the great sessions in *Wa.*, or of the said counties palatine, or before any judge or master, or other officer of any of the said courts, or before the lord keeper, or commissioners of the great seal, sitting in matters of bankruptcy or lunacy £0 2 6
 COPY (*i. e.* office copy) of any affidavit filed, read, or used in any other court of law or equity, except in actions or suits where the debt or damage, or thing claimed and demanded, shall be under the amount or value of 40s. £0 1 6
 COPY (*i. e.* office copy) of any bill, answer, demurrer, exceptions, plea, replication, rejoinder, or other proceedings, or of any interrogatories or depositions taken by commission or otherwise in any court of equity; £0 1 6

Where any such copy shall be written wide, according to the usage and practice of the court, and not contain more than 90 words in a sheet, one with another, then for every sheet or piece of paper on which the same shall be written £0 0 4

And where any such copy shall be written close copy-wise, according to the usage and practice of the court, or in any other manner than above-mentioned, then for every sheet or piece of paper on which the same shall be written £0 2 6

COPY of any declaration, plea, replication, rejoinder, demurrer, or other pleading whatsoever, in any court of law £0 0 4
 COPY (*i. e.* office copy) of interrogatories, and the depositions or answers thereto, in any court of law, containing not more than 72 words in a sheet, one sheet with another £0 0 4
 COPY (*i. e.* office copy) of any rule or order made or given in or by any court of law at *Westminster*, or by any judge of any such court £0 2 6
 COPY (*i. e.* office copy) of any decree, dismissal, or order made in or by the high court of chancery at *Westminster*, or by the lord high chancellor, or the lord keeper or commissioners of the great seal, sitting in matters of bankruptcy or lunacy £0 3 0
 And for every sheet or piece of paper on which any such copy shall be written, after the first, a further progressive duty of £0 1 6

COPY (*i. e.* office copy) of any decree, dismissal, or order made in or by the court of exchequer, or the court of the duchy of *Lancaster* at *Westminster*, or in or by any of the courts of great sessions in *Wa.*, or of the said counties palatine £0 2 6

COPY (*i. e.* office copy) or extract of any record, report, or proceeding whatsoever, in any court of law or equity at *Westminster*, not otherwise charged in this schedule £0 2 0

DECLARATION in any court of law 0 0 4

DECREE, or dismissal, made in or by the high court of chancery at *Westminster* £0 3 0

And for every sheet or piece of paper on which the same shall be written, after the first, a further progressive duty of £0 1 6

DECREE, or dismissal, made in or by the court of exchequer, or the court of the duchy of *Lancaster* at *Westminster*, or in or by any of the courts of the great sessions in *Wa.*, or of the said counties palatine, or in or by any other court of equity whatsoever £0 2 6

DEMURRER in any court of law 0 0 4

DEMURRER in any court of equity 0 5 0

DEPOSITIONS taken by virtue of a commission out of any court of equity 0 5 0

DEPOSITIONS in any court of equity taken by the examiner, or other proper officer, and not by commission £0 0 4

DEPOSITIONS, or answers to any interrogatories in any court of law 0 0 4

DEPUTATION, special or warrant, by the sheriff of any county to any person to take an inquisition under a court of inquiry £0 10 0

EXCEPTIONS filed in any court of equity, or in any matter of bankruptcy or lunacy £0 5 0

INQUISITION taken by or before any sheriff or his deputy, or under sheriff, or by or before any person specially deputed or authorized by the sheriff to take the same, or by or before any coroner in any action of law £0 10 0

INTERROGATORIES in any court of law 0 5 0

INTERROGATORIES in any court of equity, or in any matter of bankruptcy or lunacy £0 5 0

JUDGMENT (not interlocutory) signed by the master of any office, or his deputy or secondary, or by any prothonotary, or his secondary, deputy, or clerk, or by any other officer belonging to any of the courts at *Westminster*, who is or shall be authorized to sign judgments £0 10 0

ORDER made in or by the high court of chancery at *Westminster*, or by the lord high chancellor, or the lord keeper, or commissioners of the great seal, sitting in matters of bankruptcy or lunacy £0 3 0

And for every sheet or piece of paper on which the same shall be written, after the first, a further progressive duty of £0 1 6

ORDER made or given in or by the court of exchequer, or the court of the duchy of *Lancaster*, at *Westminster*, or in or by any of the courts of the great sessions in *Wa.*, or of the said counties palatine £0 2 6

ORDER made or given by any judge of any of the courts of law at *Westminster* £0 2 6

PETITION in any suit or matter in any of the courts of equity at *Westminster*, and petition to the lord high chancellor, or the lord keeper, or commissioners of the great seal, in any matter of bankruptcy or lunacy £0 2 6

PLEA in any court of law 0 0 4

PLEA in any court of equity 0 5 0

PLEADING of any kind in any court of law 0 0 4

PLEADING of any kind in any court of equity 0 5 0

POSTEA 0 10 0

RECORD of *nisi prius* 0 10 0

REJOINDER in any court of law 0 0 4

REJOINDER in any court of equity 0 5 0

REPLICATION in any court of law 0 0 4

REPLICATION in any court of equity 0 5 0

REPORT made by the master of the high court of chancery, or by H. M.'s remembrancer in the court of exchequer, or his deputy £0 2 6

RULE or order made or given in or by any of the courts of law at *Westminster*, which shall be issued or delivered out by the clerk of the rules, or other officer, to the party obtaining it £0 2 6

And for the entry of every such rule or order in the book kept by the clerk of the rules or other officer, for that purpose, whether written on one or more sheets or leaves £0 2 6

RULES to plead and reply, and all other rules of any of the said courts of law at *Westminster*, not issued as above mentioned, but which shall be entered in the books kept by the clerk of the rules or other officer for that purpose, for the entry of every such rule £0 2 6

SUMMONS issued by any judge of any of the courts of law at *Westminster* £0 1 0

WARRANT, mandate, or authority, given to any attorney or solicitor, to commence, carry on, or defend any action, suit, or prosecution, in any of the courts at *Westminster*, or of the great sessions in *Wa.*, or of the said counties palatine, or in any other court whatsoever holding pleas, where the debt or damage amounts to 40s. for the memorandum or minute thereof to be entered or filed of record £0 5 0

WARRANT, or summons, issued by any master of the high court of chancery, or by H. M.'s remembrancer of the court of exchequer, or his deputy £0 1 0

WRIT of appeal 0 1 0

WRIT of certiorari 1 0 0

WRIT of supersedeas, of a commission of bankrupt 0 2 6

WRIT, mandate, or other process whatsoever, which shall issue out of or pass the seal of any of the courts at *Westminster*, or of the great sessions in *Wa.*, or of the said counties palatine, or of any other court in Eng. holding pleas, where the debt or damage amounts to 40s., except in actions or suits where the debt, damage, or thing claimed or demanded shall be under the amount or value of 40s. £0 5 0

PROCEEDINGS in the courts of Scotland.

	£ s. d.	£ s. d.
ADVOCATION, letters of	0 5 0	
AFFIDAVIT to be filed, read, or used in the court of exchequer	0 2 6	
And for every sheet or piece of paper on which the same shall be written, after the first, a further progressive duty of	0 2 6	
AMENDMENT of libel. See SUMMONS.		
ANSWER to a petition and complaint, or to any original petition or application in any process or suit, other than a bill of advocation or suspension	0 5 0	0 2 6
ANSWER to any such bill, or to a reclaiming or incidental petition, or to a representation, condescence, or any other paper not being an original application	0 2 6	0 1 3
APPEAL. See BILL OF ADVOCATION		
APPLICATION, original, under whatever title	0 5 0	0 2 6
BILL of advocation, bill of suspension, appeal	0 5 0	0 2 6

	£ s. d.	£ s. d.
BOND of caution or surety in the bill chamber, or for appearance, or in a law burrows, or incidental to any process or suit, or for payment in terms of the decree, to follow upon any process or suit	0 2 6	0 2 6
BOND on a confirmation of testament, and bond judicial of any other description. See BOND, in the first part of this schedule		
CASE	0 2 6	0 1 3
CLAIM, being the first paper in a process or suit in behalf of the party for whom it is offered	0 5 0	0 2 6
CLAIM of any other description	0 2 6	0 1 3
COMPLAINT or petition and complaint	0 5 0	0 2 6
CONDESCENDENCE of whatever description	0 2 6	0 1 3
DECLARATION, judicial	0 2 6	0 1 3
And for every sheet or piece of paper on which the same shall be written, after the first, a further progressive duty of	0 2 6	0 1 3
DEFENCE, of whatever description	0 5 0	0 2 6
DEPOSITION or DEPOSITIONS, whether in presence of the court, or taken by commission or otherwise	0 2 6	0 1 3
And for every sheet or piece of paper on which the same shall be written, after the first, a further progressive duty of	0 2 6	0 1 3
DILIGENCE, or incidental diligence, letters of	0 5 0	0 2 6
DUPLY	0 5 0	0 2 6
EDICT. See SUMMONS.		
ESTIMATE. See REPORT.		
EXTRACT of any decree (not being a mere decree of registration <i>pro forma</i>), or of any abbreviate act, commission, warrant or protestation	0 10 0	0 5 0
INFORMATION	0 2 6	0 1 3
INTERROGATORIES exhibited in behalf of any party to a process or suit	0 2 6	0 1 3
INVENTORY of any interest in a multiple pointing, or other process or suit, when not preceded or immediately accompanied by a claim or other step or procedure charged as an original application for or in behalf of the party for whom such inventory is exhibited	0 5 0	0 2 6
INVENTORY of any other description, when not immediately accompanying and referred to in a separate paper or step of procedure charged in this schedule	0 2 6	0 1 3
LIBEL. See SUMMONS.		
MANDATE. See WARRANT.		
MEMORANDUM. See WARRANT.		
MEMORIAL, of whatever description	—	—
MINUTE, of whatever description, which may be lodged by or in behalf of any party to a process or suit	0 2 6	0 1 3
NOTE in any suit or process	0 2 6	0 1 3
OBJECTION, being the first paper in a process or suit in behalf of the party for whom it may be offered	0 2 6	0 1 3
OBJECTION, of any other description	0 2 6	0 1 3
PETITION, being an original application, or the first paper in a process or suit in behalf of the party for whom it may be offered	0 5 0	0 2 6
PETITION of any other description	0 2 6	0 1 3
PLEADING or STATEMENT, of whatever description, whether written or printed, in any suit or process, offered in behalf of any party or by order of the court, and not otherwise charged in this schedule	0 2 6	0 1 3
PRECEPT, in the nature of a summons. See SUMMONS.		
PRECEPT, in the nature of a diligence	—	0 1 3
PREPARED STATE	0 2 6	0 1 3
PROTESTATION, lodged on behalf of any party to a process or suit	0 5 0	0 2 6
QUADRUPLY	0 5 0	0 2 6
REPLY	0 5 0	0 2 6
REPORT, estimate, or scheme, prepared in consequence of the appointment, order, or authority of a judge	0 2 6	0 1 3
REPRESENTATION	0 2 6	0 1 3
SIGNET, letters, or writs, passing H. M.'s signet, of whatever description, not otherwise charged in this schedule	0 2 6	—
STATE of INTERESTS in any process or suit	0 2 6	0 1 3
SUMMONS, of whatever description, libel, amendment of libel, edict, precept of the nature of a summons	0 5 0	0 2 6
SUSPENSION, letters of	0 5 0	0 2 6
TRIPLY	0 5 0	0 2 6
WARRANT, mandate, or authority, given to any solicitor, attorney, agent, or procurator, to commence, carry on, defend, or appear in any action, suit, or procedure, to the instance or on behalf of any party or parties not having distinct interests, for the memorandum or minute thereof, to be entered or filed of record	0 5 0	0 2 6

PROCEEDINGS in Courts in Ireland.

I. PROCEEDINGS in the court of admiralty in Ireland.

AFFIDAVIT to be filed, read, and used in any suit in the said court	£0 2 0
ALLEGATION or petition in the said court, on each and every sheet containing any quantity of words	£0 4 0
ANSWER, in the said court, on each and every sheet containing any quantity of words	£0 4 0
APPEAL, from any definitive sentence or final decree, or from any interlocutory decree or order of the said court	£10 0 0
APPEARANCE, on the entry of each defendant	0 4 0
ATTACHMENT, issuing of the said court	1 2 6
BAIL BOND, or recognizance, taken in any suit in the said court, or by commission from the same, where the sum inserted therein shall not exceed 50 <i>l</i> .	£0 5 0
And where the sum inserted therein shall exceed 50 <i>l</i> . and not exceed 150 <i>l</i> .	£0 10 0
And where the same shall exceed 150 <i>l</i> .	0 15 0
CITATION, monition, or warrant issuing out of the said court, including such summons as may issue for the attendance of any witness, on each and every copy thereof served on any party	£0 5 0
COMMISSION issuing out of the said court in any suit	0 10 0

COPY, attested or otherwise, issuing out of the said court, of any affidavit filed, read, or used in the said court	£0 0 3
COPY, attested or otherwise, issuing out of the said court, of any libel, allegation, answer, interrogations, deposition, or inventory filed in the said court, for each and every sheet containing any quantity of words	£0 1 0
COPY, attested or otherwise, issuing out of the said court, of any interlocutory decree or order, or of any definitive sentence or final decree made in the said court	£0 5 0
COPY, attested or otherwise, issuing out of the said court, of any rule or order made or given on any petition or motion, or otherwise, whether such rule or order shall be made in open court or otherwise	£0 1 0
DECREE, sentence, or order interlocutory, save those having the force of a definitive sentence having made in the said court	£0 10 0
DECREE, sentence, or order interlocutory, having the force or effect of definitive sentence	£1 0 0
DEPOSITIONS taken in the said court, or by commission from the same, for each and every skin of parchment, containing any quantity of words	£0 4 0
EXCEPTIONS of any kind whatsoever, upon each and every sheet of paper or skin of parchment on which the same shall be written, containing any quantity of words	£0 4 0
INTERROGATIONS filed or exhibited in the said court, for each and every skin of parchment or sheet of paper containing any quantity of words	£0 4 0
INVENTORY filed or exhibited in any suit in the said court	0 4 0
LIBEL filed or exhibited in the said court	0 4 0
MONITION issuing out of the said court	0 5 0
RELAXATION of any attachment or inhibition issuing out of the said court	£1 0 0
RELEASE issuing out of the said court	0 1 0
RULE, order made or given on any petition or motion, or otherwise, whether such rule or order shall be made in open court or otherwise	£0 1 0
SENTENCE, definitive, or final decree of the said court	1 0 0
SENTENCE, interlocutory	0 10 0

II. PROCEEDINGS in the ecclesiastical courts, and in the high court of delegates in ecclesiastical matters in *Ire*.

AFFIDAVIT to be filed, read, or used in any suit in any of the said courts	£0 2 0
ALLEGATION in any of the said courts	0 4 0
ANSWER in any of the said courts	0 4 0
APPEARANCE, on the entry of each appearance in the court of prerogative, and in the consistorial court in <i>Dublin</i> , for each and every defendant named in such entry	£0 4 0
APPEARANCE in any other ecclesiastical court in <i>Ire.</i> ; on the sheet or piece of paper on which the appearance of each defendant shall be entered, and not on the entry thereof	£0 2 0
APPEAL from any definitive sentence or final decree, or from any interlocutory decree or order of the prerogative court, or from the metropolitan side of any archiepiscopal court	£10 0 0
APPEAL from any diocesan court, or from the consistorial side of any archiepiscopal court	£5 0 0
CITATION, primary, issuing out of any of the said courts, not otherwise charged	£0 7 6
CITATION, not primary, issuing out of any of the said courts, not otherwise charged	£0 5 0
CITATION in any suit for tithes	0 1 0
COPY, attested or otherwise, issuing out of the said courts, of any affidavit filed, read, or used in any suit in any of the said courts	£0 0 3
COPY, attested or otherwise, issuing out of the said courts, of any inventory filed or exhibited in any suit in any of the said courts, for each sheet containing any quantity of words	£0 5 0
COPY of any citation, monition, mandate, prohibition, summons, or requisition, issuing out of the said courts, for service on any party impugnant or other party, on any proctor or other person on behalf of such party	£0 5 0
COPY of every citation in suits for tithes	0 1 0
COPY, attested or otherwise, issuing out of the said courts, of any other process, of what nature or kind soever	£0 5 0
COPY, attested or otherwise, issuing out of the said courts, of any libel, allegation, answer, interrogations, or depositions, filed or exhibited in any of the said courts, for each and every skin of parchment or sheet of paper, containing any quantity of words	£0 1 0
COPY, attested or otherwise, issuing out of any of the said courts, of any interlocutory decree or order, or of any definitive sentence or final decree of any of the said courts	£0 5 0
COPY, attested or otherwise, issuing out of any of the said courts, of any rule or order made or given on any petition or motion, or otherwise, in any suit, whether such rule or order shall be made in open court or otherwise, and not otherwise charged	£0 1 0
DECREE, final, or definitive sentence, or any other interlocutory, having the force of a definitive sentence, in any of the said courts, not otherwise charged	£0 10 0
DECREE, final, or definitive sentence, or any other interlocutory, having the force of a definitive sentence, in any of the said courts, in suits for recovery of tithes	£0 1 0
DEPOSITIONS taken in any of the said courts, or by commission from the same	£0 5 0
DISMISS	0 7 6
EXCEPTION to allegation, libel, answer, deposition, report, or other pleading, upon each and every sheet of paper or skin of parchment containing such exception or exceptions	£0 5 0
INTERROGATORIES filed or exhibited in any of the said courts	0 4 0
INVENTORY filed or exhibited in any suit in any of the said courts	0 5 0
LIBEL filed or exhibited in any of the said courts	0 4 0
MANDATE issuing out of the said courts	0 5 0
MONITION issuing out of any of the said courts	0 5 0
PETITION on the entry of any rule or order in any suit in the high court of delegates, in the courts of prerogative, and consistorial courts in <i>Dublin</i> , except in suits for tithes, or otherwise	£0 3 0
PETITION in any suit in any other ecclesiastical court, on the sheet or piece of paper on which the same shall be written	£0 3 0
PETITION in any ecclesiastical court in any suit for tithes	0 1 0
PROCESS of contempt for not appearing or for not answering, upon each	0 5 0
PROCESS, of whatsoever other nature or kind, not otherwise charged, that shall issue out of the said courts	£0 5 0
RELEASE of any kind, relating to any proceeding carrying on in the said courts, and not otherwise charged	£0 10 0
RENUNCIATION in any suit in the said courts	0 10 0
REQUISITION in any suit in the said courts	0 7 6

RULE or order, on the entry thereof, made or given on any petition or motion in any suit in the high court of delegates, and in the court of prerogative and consistorial court in *Dublin*, whether such rule or order shall be made in open court or otherwise £0 1 0

RULE or order made in any suit in any other ecclesiastical court, on each sheet or piece of paper on which the same shall be written £0 1 0

SENTENCE, interlocutory 0 10 0

SENTENCE definitive, or final decree or order, having the force thereof, of any of the said courts £0 10 0

III. PROCEEDINGS in the courts of law and equity in *Dublin*, and in all other courts in *Ire.* holding plea, where the debt or damage shall exceed 40s.

ACTIONS in the courts of the lord mayor and the sheriff of *Dublin*, and in the courts of all corporations, and in all other courts in *Ire.* holding plea, where the debt and damage exceeds 40s., on each action or plaint, except where the debt or damage claimed or demanded shall not exceed 40s. £0 1 0

AFFIDAVIT, affirmation or deposition, in any suit taken before any person or persons authorized by law to take the same respectively £0 2 0

AFFIDAVIT made to enter a fine, or to ground any application against a coroner or sheriff £0 5 0

ANSWER in any court of equity —

APPEARANCE (on the entry of any) in any of the courts held in *Dublin*, to any action or suit in any such court holding plea, where the debt or damage exceeds 40s., by any six-clerk, attorney, solicitor or other agent, for each and every defendant named in such entry £0 4 0

APPEARANCE in any other court, on the sheet of paper on which the appearance of each defendant shall be written £0 2 0

ASSIGNMENT of a bail bond by a sheriff or other officer 0 4 0

BAIL, common, to be filed in any court of law 0 1 0

BAIL, special, to be filed in any court of law 0 1 0

BAIL BOND taken by any sheriff or other officer 0 4 0

BANKRUPT'S CERTIFICATE, the confirmation thereof by the lord chancellor, or by the lord keeper or commissioners for the custody of the great seal £0 2 6

BILL filed in any court of equity 0 4 0

CERTIFICATE by any master of the high court of chancery, or by H.M.'s remembrancer of the court of exchequer, or his deputy, of any default of any person in any court of proceeding before them £0 5 0

CERTIFICATE of the number of stamps appearing on the face of any proceeding in the court of chancery, or in the equity side of the court of exchequer £0 1 0

CHARGE or discharge filed in any court of equity 0 1 0

COMMISSION to take affidavits or special bail, in any suit out of any court of law or equity £1 5 0

COMMISSION out of any court of law or equity, for the examination of witnesses, or taking depositions £0 10 0

COMMISSION of any other kind out of any court of law or equity in any suit £0 10 0

COPY, attested, of any charge or discharge filed in any court of equity 0 1 0

COPY, attested, of any account or report filed in any cause in the court of chancery, or in the equity or revenue side of the court of exchequer £0 3 0

COPY of any account or report filed in chancery, in the matter of any minor or lunatic £0 2 6

COPY, or extract, attested or otherwise, of any accounts issued by the accountants-general of the courts of chancery and exchequer, in any suit or matter whatsoever, on each and every sheet or piece of paper on which the same may be written £0 3 0

COPY, attested or otherwise, issuing from any public office, of any affidavit therein filed, which copy shall be read or used in any court of law or equity, except in actions or suits where the debt or damage, or thing claimed and demanded, shall not exceed the amount or value of 40s. £0 0 3

COPY, attested, of any affidavit made to enter a fine, or to ground any application against a sheriff or coroner £0 0 6

COPY, attested or otherwise, issuing from any public office, of any bill, answer, demurrer, plea, replication, rejoinder, or other pleading, or of any interrogatories or depositions, by commission or otherwise, in any court of equity £0 0 4

COPY, issuing from any public office, of any declaration in ejectment, or other declaration, plea, replication, rejoinder, demurrer, or other pleading whatsoever, in any court of law £0 0 4

COPY of any record to be furnished to any of the judges, for hearing of causes in error in the court of exchequer chamber, or in the court of delegates £0 0 4

COPY, attested or otherwise, issuing from any public office, of interrogatories, or the depositions, or the answers thereto, in any court of law £0 0 4

COPY, issuing from any public office, of any rule or order made or given, on any petition or motion or otherwise, in any of the superior courts of law or equity, or in any other court in *Ire.* holding plea, where the debt or damage shall exceed 40s., whether such rule or order shall be made in open court, or by any judge or other officer of such courts respectively, by way of fiat for an order £0 1 0

COPY of any summons, whereby the defendant or defendants shall be required to appear or answer the plaintiff's bill, or to appear before any recorder, chairman, assistant barrister, seneschal, or steward of a manor, or other judge or officer, in any proceeding in a summary way, by civil bill, save and except seneschals or stewards of a manor holding plea, where the debt or damage shall not exceed 40s. £0 1 2

COPY or extract, attested or otherwise, made by any officer or clerk in or belonging to any of the public offices, of any record, report, or proceeding whatever, in any court of law or equity in *Ire.*, or in any public office, and not otherwise charged in this schedule, except the certificates of the entry or satisfaction of any judgment or judgments £0 1 0

COPY, attested or otherwise, issuing out of any public office, of any decree, dismissal, or order made in or by the court of chancery £0 4 6

COPY, attested or otherwise, issuing out of any public office, of any decree, dismissal, order, or award made in or by the court of exchequer £0 4 6

COPY of any writ, mandate, or other process whatsoever, not otherwise charged in this schedule, which shall issue out of or pass the seal of any of the courts of *Dublin*, for service on any party £0 0 6

CROWN BONDS, search for, commonly called a common search for crown bonds, or other bonds, issuing from any of the public offices belonging to any court in *Ire.*, or otherwise, whether such search shall contain any extract of any such bond or otherwise, and whether such search shall be signed by or on behalf of any officer or clerk of such public office, for each person as to whom such search shall be made £0 3 0

CUSTODIAM, under the seal of the exchequer, grounded on outlawry in any civil action £0 10 0

CUSTODIAM, search for, the same as on searches for crown bonds. —

DECLARATION, in any court of law 0 4 0

DECREE or dismissal made in or by the high court of chancery, written on paper, and signed by the proper officer £0 4 6

DECREE or dismissal, made in or by the court of exchequer, written on paper, and signed by the proper officer £0 4 6

DECREE which shall be made or pronounced by, or any warrant which shall issue under the hand and seal, or hand only, of any recorder, chairman, assistant barrister, town-clerk, or seneschal, or by any judge of assize, or other judge whatsoever, in causes heard by civil bill, except decrees by any seneschal or steward of a manor, where the debt or damages do not exceed 40s. -- Where the sum decreed shall be under 5*l.* £0 2 0

And where the sum decreed shall amount to 5*l.* and not amount to 10*l.* 0 4 6

And where the sum decreed shall amount to 10*l.* or upwards 0 7 6

DECREE, renewal by a decree or dismissal, by whomsoever made, on any proceeding by civil bill, save as aforesaid £0 1 6

DEMURRER, in any court of law 0 4 0

DEMURRER, in any court of equity 0 4 0

DEPOSITIONS, taken by virtue of a commission out of any court of equity £0 4 0

DEPOSITIONS, in answer to any interrogatories in any court of law 0 4 0

DISMISS, made or pronounced by any recorder, chairman, assistant barrister, or judge of assize £0 4 0

DISMISS, made or pronounced by any seneschal or steward by any manor in any proceeding by civil bill, save as aforesaid £0 1 6

EXCEPTIONS filed in any court of equity, for each exception, whether alone or joined with any others or other £0 5 0

EXCEPTION, filed in the matter of any bankrupt or lunatic 0 5 0

INQUISITION taken by or before any sheriff or his deputy, or by or before any coroner or elisor, in any action at law, or under any act of parliament £0 10 0

INTERROGATORIES in any court of law 0 4 0

INTERROGATORIES in any court of equity, or in any matter of bankruptcy or lunacy £0 4 0

JUDGMENT, interlocutory, in any court of law in *Ire.* 0 5 0

JUDGMENT, (not interlocutory) on the entry thereof in any of the superior courts at *Dublin* -- For any sum under 100*l.* £0 6 0

For 100*l.* and not exceeding 200*l.* 0 11 0

And for every 100*l.* after the sum of 200*l.* a further duty of 0 0 6

Where the sum in such judgment shall exceed 200*l.*, or any progressive sum of 100*l.* each, by any fractional part of 100*l.*, for such fractional part £0 0 6

JUDGMENTS, search for, commonly called a negative search for judgments appearing on record in any court in *Ire.* against any person, issued from any of the public offices of any court in *Ire.*, whether such search shall contain any extract or extracts of any judgment or not, on the officer's certificate subscribed thereto, for each person as to whom such search shall be made £0 10 0

JUDGMENTS, search for, commonly called a common search for judgment, issuing from any of the public offices of any court in *Ireland*, whether such search shall contain any extract of any judgment or judgments or not, or whether such search shall be signed by or on behalf of any officer or clerk of any such public office, for each person against whom such search shall be made £0 3 0

ORDER, or rule, made or given in any of the courts at *Dublin*, whether such rule or order shall be made in open court on motion, or by any judge of such court respectively in his chamber, by way of fiat for an order or otherwise, or whether the same be issued or not —

For the entry of every such rule or order in the book kept by the clerk of the rules or other officer of any court in *Dublin* for that purpose, whether on one or more sheets or leaves £0 1 0

ORDER or rule, made or given in any court in *Ire.* holding plea, where the debt or damage doth exceed 40s., whether such rule or order shall be made in open court on motion, or by any judge of such courts respectively in his chamber, by way of fiat for an order or otherwise, or whether the same shall be issued or not £0 1 0

PETITION, on the entry of, in any suit in any of the courts at *Dublin*, as also in all matters of bankruptcy or lunacy, of minors, and in all other matters presented to the court of chancery, or to the commissioners for the custody of the great seal £0 4 6

PETITION, in any other court, not otherwise charged, on each sheet or piece of paper on which the same shall be written £0 3 0

PLEA, in any court of law 0 4 0

PLEADING of any kind, in any court of law or equity, not otherwise charged in this schedule £0 4 0

POSTEA 0 10 0

PROCESS, commonly called process of contempt, on each, not to contain more than four defendants £0 1 0

PROCESS of contempt, on the entry of each and every process for not appearing, or for not answering, which shall be entered in the courts of chancery or exchequer, for each defendant £0 2 0

RECORD of *nisi prius* 0 10 0

RECOGNIZANCES conditioned for the payment of any money, or for the performance of any covenant or agreement entered into during the progress of any proceedings in any court of law or equity £0 10 0

RECOGNIZANCE on any appeal from any decree or dismissal, by whomsoever made or pronounced, in any proceeding by civil bill £0 2 6

RECOGNIZANCE, search for, commonly called a negative search for recognizance appearing on record in the court of chancery, or in the equity or revenue side of the court of exchequer, in *Ire.*, against any person, whether such search shall contain any extract or extracts of any recognizance or recognizances, or otherwise, on the officer's certificate subscribed thereto, for each person as to whom such search shall be made £0 10 0

RECOGNIZANCE, search for, commonly called a common seal for recognizances, issuing from the court of chancery, or the revenue or equity side of the court of exchequer in *Ire.*, against any person, whether such search shall contain any extract or extracts of any such recognizance or recognizances, or otherwise, for each person as to whom such search shall be made £0 3 0

REJOINDER in any court of law 0 4 0

REJOINDER in any court of equity 0 4 0

REPLICATION in any court of law 0 4 0

REPLICATION in any court of equity 0 4 0

REPORT made by any master of the high court of chancery, or by H.M.'s remembrancer in the court of exchequer £0 1 0

RULES, to plead and reply, and all other rules of any of the said courts of *Dublin*, not issued as above-mentioned, but which shall be entered in the books kept by the clerk of the rules, or other officer, for that purpose, for the entry of every such rule £0 1 0

SUMMONS or process whereby the defendant or defendants shall be required to appear or answer the plaintiff's bill, or to appear before any recorder, chairman, assistant barrister, seneschal or steward of a manor court, or other judge or officer, in any proceeding in a summary way by civil bill, save and except

seneschals and stewards of a manor holding plea, where the debt or damage shall exceed 40s.:

For the duty on the copy of the same	£0 0 2
SUMMONS issued by any judge of any of the superior courts of law	0 2 0
SUMMONS issued by any judge of a court of equity	0 2 0
Except such as shall be issued on the application of any prisoner or insolvent debtor.	
WARRANT or summons, issued by any master of the high court of chancery, or by H. M.'s remembrancer of the court of exchequer or his deputy, or by any of the chief or deputy prothonotaries of the courts of K. B. and C. P., or by the chief deputy clerk of the pleas in the exchequer, or by any of the chief or deputy registrars of the court of chancery, or court of exchequer, or by any other officer or officers of any court of law or equity, or in any other court in Ire., not otherwise charged or expressly exempted from stamp-duty, for the purpose of proceeding to settle any decree or proceeding on any order of reference, or taxing costs, or any other purpose for which summonses or warrants are usually issued by such officers respectively	£0 1 0
WARRANT to any attorney to enter up judgment to satisfy a judgment entered of record in the courts of K. B., C. P., or exchequer, in Dublin, or elsewhere	£0 2 6
WARRANT of attorney or consent, or other writing to vacate any recognizance entered into in the court of chancery, or in the equity side of the court of exchequer, or any order obtained to vacate the same	£0 5 0
WRIT of appeal	1 0 0
WRIT of <i>supersedeas</i> , of a commission of bankrupt	0 2 6
WRIT of <i>habere facias seciam</i> or <i>possessionem</i> , or writ of restitution or <i>possessionem</i>	£0 10 0
WRIT, mandate, subpoena, writ of <i>habeas corpus</i> , or other process whatsoever, which shall issue out or pass the seal of any of the courts in Dublin, whether the same be the supreme courts of law or equity, or any of the ecclesiastical courts	£0 4 0

Newspapers.

18. To allow newspapers to be printed upon paper of a larger size than is now allowed; and to reduce the stamp-duties now payable upon supplements to newspapers and other papers in *G. B.*, 6 *G. 4. c. 119.* [To commence and take effect from and after the 5th July 1825. *s. 7.*]

19. Whereas it is expedient to remove the restrictions [*see Stat. Dig. tit. STAMPS (Newspapers), pl. 636, 637.*], which prevent the printing of newspapers upon paper not exceeding 32 inches in length and 22 inches in breadth: and whereas it is expedient to allow supplements to newspapers containing advertisements only to be printed and published subject to a stamp-duty not exceeding one-half of the stamp-duties now payable on newspapers, and to allow papers not containing public news, intelligence, or occurrences, but containing only or principally advertisements, to be printed and published periodically, subject to a like reduced stamp-duty; be it therefore enacted, That from and after the commencement of this act, any newspaper or paper containing public news, intelligence, or occurrences, shall and may be printed and published in *G. B.* upon any single sheet or piece of paper duly stamped, although such sheet of paper shall exceed 32 inches in length and 22 inches in breadth, and whatever size such sheet or piece of paper may be; and it shall be lawful for the commissioners of stamps, and they are hereby authorized and directed, when thereunto required, to mark and stamp any such single sheet or sheets, or piece or pieces of paper, to be used for printing thereon any newspaper or other paper containing public news, intelligence, or occurrences, although such sheet or sheets, or piece or pieces of paper, shall respectively be of a larger size than 32 inches in length and 22 inches in breadth; any thing contained in any act or acts of parliament to the contrary notwithstanding, 6 *G. 4. c. 119. s. 1.*

20. From and after the commencement of this act [5th July 1825. *s. 7.*], there shall be raised, levied, collected, and paid in *G. B.*, unto H. M., for and in respect of the articles, matters, and things following, the several stamp-duties or sums of money following; that is to say, for every supplement to any newspaper or paper containing public news, intelligence, or occurrences, printed in *G. B.*, such supplement containing advertisements only (that is to say), for every sheet, half-sheet, or other piece of paper on which such supplement shall be printed, the sum of 2d.; and for every paper printed in *G. B.*, weekly or oftener, or at intervals not exceeding 26 days, containing only or principally advertisements, and not containing any public news, intelligence, or occurrences, for every sheet, half-sheet, or other piece of paper, the sum of 2d., 6 *G. 4. c. 119. s. 2.*

21. The duties hereby granted shall be under the care and management of the commissioners of stamps in *G. B.*; and the said commissioners, or the major part of them, are hereby empowered and required to provide and use proper and sufficient plates, stamps, or dies, for marking, expressing, and denoting the duties hereby granted, and to alter and renew such plates, stamps, or dies, from time to time, as occasion shall require, and also to employ such officers and persons under them, and to do all such other acts and things as shall be thought necessary or expedient for effectually raising and collecting the several duties hereby granted, and for putting this act into execution, in the like and in as full and ample manner as they or any former commissioners of

stamps are or have been authorized to do, for the raising and collecting of any former duties under their care and management, or for putting into execution any act or acts relating thereto, 6 *G. 4. c. 119. s. 3.*

22. From and after the commencement of this act [5th July 1825. *s. 7.*], it shall not be lawful for any person to print in or upon any paper which shall be stamped with a stamp denoting the duties by this act granted, any public news, intelligence, or occurrences whatsoever; and that upon every supplement to any newspaper chargeable with the duties granted by this act there shall be printed the name and title of the newspaper to which the same shall be a supplement; and that upon every paper printed weekly or oftener, or at intervals not exceeding 26 days, chargeable with the duties granted by this act, there shall be printed the name and title of such paper; and that upon every such supplement, and also upon every such other paper respectively, there shall be printed in large type at the top of each side of every such supplement or other paper as aforesaid respectively, the month, and day of the month, and year, on which such newspaper or other paper respectively shall be published, and the name of the printer and place of printing, in large type, in or upon some conspicuous part of every such supplement or other paper as aforesaid respectively; and that if any person shall print, or cause or permit or suffer to be printed, any public news, intelligence, or occurrences, other than advertisements, in or upon any such supplement to any newspaper, or in or upon any such paper printed weekly or oftener, or at intervals not exceeding 26 days, or if any person shall print, or cause or permit or suffer to be printed, any supplement or supplements to any newspaper, without the name and title of the newspaper, or any such paper printed weekly or oftener, or at intervals not exceeding 26 days, without the title thereof being respectively printed in large type at the top of each side of every such supplement or other paper as aforesaid respectively, or without the month, and day of the month, and year, on which such newspaper or other paper as aforesaid respectively shall be published, or without the name of the printer, and the place of printing, in large type, in or upon some conspicuous part of every such supplement or other paper as aforesaid, being respectively printed in or upon every such supplement or other paper as aforesaid respectively, in manner herein-before directed, every person so offending shall forfeit and pay, over and above all other penalties recoverable by law, the sum of 50*l.* for every such offence, 6 *G. 4. c. 119. s. 4.*

23. If any person shall forge or counterfeit, or cause or procure to be forfeited [*so in the act, but qu. forged*] or counterfeited, any plate, stamp, or die, or any part of any plate, stamp, or die, which shall have been or shall be provided, made, or used in pursuance of this act, for expressing and denoting any of the duties granted by this act; or shall forge or counterfeit, or cause or procure to be forged or counterfeited, the impression, or any part or resemblance of the impression, of any such plate, stamp, or die, upon any paper whatsoever; or shall stamp or mark, or cause or procure to be stamped or marked, any paper whatsoever, with any such forged or counterfeited plate, stamp, or die as aforesaid, with intent to defraud H. M. of any of the duties by this act granted, or any part thereof; or if any person shall utter or sell, or expose to sale, any paper having thereupon the impression of any such forged or counterfeited plate, stamp, or die, or part of any plate, stamp, or die, or any such forged or counterfeited impression, or part or resemblance of impression as aforesaid, knowing the same respectively to be forged, counterfeited, or resembled; or if any person shall privately and secretly use any plate, stamp, or die which shall have been so provided, made, or used as aforesaid, with intent to defraud H. M.; then every person so offending, and every person knowingly and wilfully aiding, abetting, or assisting any person in committing any such offence as aforesaid, and being thereof lawfully convicted, shall be adjudged guilty of felony, and shall suffer death as a felon without benefit of clergy, 6 *G. 4. c. 119. s. 6.*

Post Horses.

24. To repeal the duties upon horses let to hire for the purpose of travelling in *G. B.*, and to grant other duties in lieu thereof; and to provide for letting the same to farm, 4 *G. 4. c. 62.*

25. Whereas it is expedient to repeal the rates and duties now payable upon or in respect of horses, mares, and geldings let for hire, for the purpose of travelling in *G. B.*; and also the duty on licences required to be taken out by persons letting such horses, mares, and geldings for hire; and to grant other duties upon all horses, mares, and geldings let for hire, in lieu thereof: and whereas it is also expedient to repeal the several acts now in force relating to the said rates and duties, and to reduce the same into one act of parliament, and to make other provisions for the better collecting the duties herein-after granted, and for letting the same to farm: be it therefore enacted, That from and after 31st Jan. 1824, so much of 25 *G. 3. c. 51. [s. 4—44. Stat. Dig.*

tit. STAMPS (*Post Horse*), pl. 684—725.], intituled, *An Act for repealing the duties on licences taken out by persons letting horses for the purpose of travelling post, and on horses let to hire for travelling post and by time, and on stage coaches, and for granting other duties in lieu thereof, and also additional duties on horses let to hire for travelling post and by time, as relates to the duties on horses hired to be used in travelling post and by time; and also 27 G. 3. c. 26. [Stat. Dig. tit. id. pl. 772—789.], intituled, An Act to enable the lord high treasurer, or commissioners of the treasury for the time being, to let to farm the duties granted by an act made in the 25th year of His present Majesty's reign, on horses let to hire for travelling post and by time, to such persons as should be willing to contract for the same; and also 44 G. 3. c. 98. [Sch. B. as to duty on post-horses, Stat. Dig. page 1401.], intituled, An Act to repeal the several duties under the commissioners for managing the duties upon stamped vellum, parchment, and paper in G. B., and to grant new and additional duties in lieu thereof, as relates to the duties on horses hired to be used in travelling in G. B.; and also 57 G. 3. c. 59. [Stat. Dig. tit. id. pl. 790. 793—798. 748—766. 768.], intituled, An Act for letting to farm the post-horse duties, and for better securing and facilitating the recovery of the said duties; and also 1 G. 4. c. 88. [Stat. Dig. tit. id. pl. 791, 792. 769—771. 767.], intituled, An Act to continue, until the 1st of Jan. 1824, an act of the 57th year of His late Majesty, for letting to farm the post-horse duties, and to amend the acts relating to the post-horse duties; and all the rates and duties, clauses, provisions, and regulations contained in any other acts, as far as the same relate to the said rates and duties, shall cease and determine; save and except as far as the said acts or any of them, or any enactments, may have repealed any former acts or enactments therein contained, relating to the payment or collection of the said rates and duties, or any part thereof, which may be now payable, or which may become payable, or to any penalty or penalties which hath or have been or may be incurred under any of the said acts; which said rates, duties, and penalties shall be recoverable, and proceedings or suits thereon shall be instituted and carried on, in the same manner as if this act had not been made: provided that the several bonds given or which may hereafter be given, in pursuance of the said acts or any of them, shall continue and be in full force and effect, with respect to all duties due and owing, or which may become due and owing by virtue of any of the said acts; and that the several licences granted or which may hereafter be granted in pursuance of any of the said acts, shall continue and be in full force and effect, for and during the periods for which the same have been or may be respectively granted; and that the several deputations and appointments which have been or may be made under the provisions of any of the said acts, shall remain and continue in full force and effect until duly revoked or determined, 4 G. 4. c. 62. s. 1.*

26. From and after the said 31st Jan. 1824, there shall be collected and paid, throughout the kingdom of G. B., unto and for the use of H. M., the several duties following; that is to say,

Every postmaster or other person in G. B., who shall let horses, mares, or geldings for hire (except as herein-after mentioned), shall pay annually unto H. M. the sum of 5s. for a licence, authorizing him or her so to do:

And for and in respect of every horse, mare, or gelding let for hire by the mile (at the usual rate charged for horses travelling post at the place at which such horse, mare, or gelding shall be let for hire), the sum of 1½d. for every mile such horse, mare, or gelding shall be hired or used to travel or go:

And for and in respect of every horse, mare or gelding let for hire, to go no greater distance than eight miles from the place of letting for hire every such horse, mare, or gelding, one-fifth part of the sum charged for such letting for hire, or the sum of 1s. 9d. for every horse, mare, or gelding so let for hire:

And for and in respect of every horse, mare, or gelding let for hire, to go no greater distance than eight miles from the place of letting for hire every such horse, mare, or gelding, where such horse, mare, or gelding shall not bring back any person, and shall not deviate from the usual line of road between the place of letting and the place or distance to which every such horse, mare, or gelding shall be hired to travel or go, the sum of 1s. for every such horse, mare, or gelding so let for hire as last aforesaid:

And for and in respect of every horse, mare, or gelding let for hire or used for any period of time less than 28 successive days, or in any other manner than by the mile, or to go no greater distance than eight miles, in either of the cases aforesaid one-fifth part of the sum charged on every such letting for hire or using, or the sum of 2s. 6d. for each day not exceeding three days, and the sum of 1s. 9d. for each day exceeding three days and not exceeding 13 days, and the sum of 1s. 3d. for each day exceeding 13 days and less than 28 days, during the time for which every such horse, mare, or gelding shall be so let for hire or used:

And for and in respect of every horse, mare, or gelding let for

hire or used for 28 successive days, or for any longer period of time, where any such horse, mare, or gelding shall be returned in a less period of time than 28 successive days, and not to be exchanged for another horse, mare, or gelding in continuation of the same hiring, one-fifth part of the sum received or agreed to be received for such letting for hire or using, for and in respect of every such horse, mare, or gelding, or the sum of 2s. 6d. for each day not exceeding three days, and the sum of 1s. 9d. for each day exceeding three days and not exceeding 13 days, and the sum of 1s. 3d. for each day exceeding 13 days and less than 21 days, during the time every such horse, mare, or gelding shall have been under the direction of the person hiring the same, by virtue of such letting for hire, 4 G. 4. c. 62. s. 2.

27. The duties granted by this act shall be deemed to attach and be payable upon or in respect of every horse, mare, or gelding let for hire or used as aforesaid, either as a saddle-horse, or for drawing any carriage or vehicle conveying any person, and upon or in respect of every horse, mare, or gelding used for drawing any mourning-coach or hearse; but the said duties shall not be deemed to attach upon or be payable in respect of any horse, mare, or gelding used for the purpose of drawing any carriage or vehicle conveying passengers for hire at separate fares, as a public stage-coach or carriage, and duly licensed by the commissioners of stamps in G. B.; nor shall the said duties attach upon or be payable in respect of any horse, mare, or gelding used in drawing any hackney-coach or carriage duly licensed by the commissioners of hackney-coaches, where the same shall be licensed to go no greater distance than 10 miles from the cities of London or Westminster; nor shall the said duties be payable for or in respect of any horse, mare, or gelding used for drawing any mourning-coach or hearse, where the same shall be used to go no greater distance than eight miles from Temple Bar in the city of London; nor shall the said duties be payable for or in respect of any horse, mare, or gelding which shall be used for drawing any cart or carriage kept or usually employed for the conveyance of fish, 4 G. 4. c. 62. s. 3.

28. And for the better and more effectually collecting and paying the said duties herein-before granted, be it further enacted, That the said duties shall be under the care and management of the commissioners of stamps in G. B. for the time being; which said commissioners, or the major part of them, are hereby required and empowered to appoint and employ such officers and persons under them for that purpose, and to allow such salaries and incidental charges as shall be necessary, and also to do all other acts, matters, and things necessary to be done for putting this act in execution, with relation to the said duties hereby granted, 4 G. 4. c. 64. s. 2.

29. From and after the 31st Jan. 1824, any two or more of the said commissioners of stamps, or some person duly authorized by them, shall grant licences to any person who shall apply for the same, to let any horses, mares, and geldings for hire as aforesaid; and that all such licences which shall be granted between the 31st Jan. and the 16th March in any year shall be dated on the 1st Feb. in that year; and that all such licences which shall be granted at any other time shall be dated on the day on which the same shall be granted; and all such licences respectively shall have effect and continue in force from the day of the date thereof until the 31st Jan. following, both inclusive, and no longer; and that no person whatsoever required by this act to be licensed shall, unless he or she shall have obtained a proper licence in that behalf, let any horse, mare, or gelding for hire to be used in any of the cases aforesaid, upon pain to forfeit for every horse, mare, or gelding so let out for hire as aforesaid the sum of 10l.: provided, that no such licence shall be granted to any person applying for the same, until he or she shall have entered into and given or renewed the security by bond, as by this act required, 4 G. 4. c. 62. s. 5.

30. The said commissioners of stamps, or their collectors, shall supply all persons who shall be licensed to let horses, mares, and geldings for hire, in the manner aforesaid, with proper tickets and certificates, and the toll-gate-keeper with proper exchange and check-tickets; and that the tickets for and in respect of every horse, mare, or gelding, or of any number of horses, mares, or geldings, let for hire by the mile, for drawing any carriage or vehicle conveying any person, shall be adapted for the insertion of the day of the month, the month and year, on which every such horse, mare, or gelding shall be let for hire, the christian and surname of the person letting for hire, if not an innkeeper, or the name of his or her sign or description of house, if an innkeeper, and in either case the name of the place of his or her residence, the number of horses, mares, and geldings, the number of miles, the names of the town or place (and if to London, the name of the street, square, or place) to which every such horse, mare, or gelding shall be hired to go; and that the tickets for and in respect of every horse, mare, or gelding, or of any number of horses, mares, or geldings, let for hire for a day or less period of time, to be used within the distance of eight miles from the place of letting for hire any horse, mare, or gelding, for the purpose of drawing any carriage or vehicle conveying any person, shall be adapted for the

31. And whereas there are many public roads on which there are no toll-gates or bars, so that the tickets or certificates directed to be issued by the several postmasters and other persons cannot be received and filed, as directed by this act; be it therefore enacted, That it shall be lawful to and for the said commissioners of stamps to erect bars and gates across any public road, for the receipt of the tickets and certificates directed to be issued in pursuance of this act, and to place a proper person thereat, who shall have the same power and authority to collect and receive such tickets or certificates, and shall be authorized to demand the money from the traveller, for not producing and showing such ticket or certificate, in like manner as the keepers of any toll-gates or bars are authorized by this act to collect, demand, and receive the same; and such person shall be liable and subject to the same

32. The said commissioners, at the time of issuing any such licence as aforesaid, shall deliver to every postmaster, or other person to whom such licence shall be granted as aforesaid, printed or written papers, intituled "Stamp-Office Weekly Accounts," which shall be adapted for the insertion of the following particulars relating to the horses, mares, or geldings which may be let for hire, *videlicet*, the day of the month, the month and the year, of such letting for hire, the names of the towns or places from and to which, or from and to which and back again, according as the hiring may be, the number of every carriage required by this act to be numbered, the christian and surname of every postillion or driver employed, the amount of the sum charged for or in respect of every letting for hire, the number of horses, mares, or geldings let for hire, the number of days, and the number of miles for which such horses, mares, or geldings shall be let for hire, and the amount of the duty payable for and in respect of every such letting for hire, as the case may be or shall require, according to the following or such other form as the said commissioners shall judge convenient for keeping such account,

4 G. 4. c. 62. s. 8.

[illegible]

35. Where any person who shall be licensed to let horses for hire in the manner aforesaid shall keep any carriage, to be furnished at the same time with any horse or horses by him or her let for hire by the mile as aforesaid (except hearses and mourning-coaches), he or she shall, before such carriage shall be so furnished or used, cause the same to be numbered with different numbers, beginning with number one and proceeding upwards progressively to the highest number of carriages which he or she shall so keep, and shall also mark or paint, in one or more straight line or lines on the outside pannel of each door of every such carriage which shall have a door thereto, and on some conspicuous part of each of the outsides of every such carriage which shall not have a door thereto, his or her christian and surname, and the name of the city, town, or place where he or she shall keep such carriage, in large and legible characters, and figures of black or white, whichever shall

most differ from the colour of the figures whereon the same shall be marked or painted, each letter to be at least one inch in length, and each figure at least one inch and an half in length, and both letters and figures to be of a proper breadth in proportion to the length thereof respectively, and shall continue the same on every such carriage as long as such carriage shall be kept for the purpose aforesaid, varying the numbers on such carriage from time to time as occasion shall require, so as to make the same correspond with the actual number of such carriages which he or she shall then keep; and if any person so licensed as aforesaid shall neglect or omit to number, mark, or paint any such carriage in manner aforesaid, or shall mark or paint thereon, any false or fictitious name or place of residence, or any higher number than the greatest number of such carriages which he or she shall then keep, or shall keep two or more such carriages with the same number marked or painted thereon, or shall continue any number upon any such carriage after he or she shall cease to keep any number of such carriages corresponding therewith, he or she shall, for every such offence, forfeit and pay the sum of 10*l.*, 4 *G. 4. c. 62. s. 11.*

56. Every postmaster or other person so licensed to let horses for hire as aforesaid shall, at the time of receiving his, her, or their first licence, give security by bond to H. M., his heirs and successors, in the sum of 50*l.*, with a condition that he or she will, whenever thereunto required, re-deliver, or cause to be re-delivered, all and every the stamp-office tickets which he or she may have received, and that may remain unaccounted for by him or her, or that he or she will pay the value of such tickets, to be ascertained as herein mentioned; and that he or she will also deliver, to the person properly authorized by the said commissioners of stamps, the stamp-office weekly accounts so delivered to such postmaster or other person, faithfully made out and signed as herein-after directed, and make payment of all such sum and sums of money as shall be due and payable to H. M., in pursuance of and according to the true intent and meaning of this act; and also that he and she shall and will truly and faithfully observe and perform all the directions, matters, and things herein contained, on his or her behalf to be observed and performed: provided, that every postmaster or other person so licensed to let horses for hire as aforesaid, is hereby required to renew from time to time such security by bond to H. M., conditioned as aforesaid, at the expiration of three years from the date of the first, or if more than one bond shall have been given, at the expiration of three years from the date of the last preceding bond, by another bond conditioned as aforesaid; and in case of the non-performance or breach of any such condition, or any part thereof, it shall be lawful for the said commissioners, or the persons so appointed by them, to cause each and every such bond to be prosecuted according to law, and in case of judgment against the defendant, the said commissioners may, if they shall think fit, refuse to grant to such person against whom such judgment shall be obtained any licence to let horses for hire as aforesaid in future, 4 *G. 4. c. 62. s. 12.*

57. Every person appointed a collector under this act shall, at or before the expiration of every three months, transmit and send to the said commissioners of stamps every bond given as a security to H. M., as aforesaid, which may have been taken from any postmaster or other person, conditioned as herein-before set forth, and shall also make out and deliver, within the time aforesaid, an account or list in writing of the licences granted by him, as such collector as aforesaid, to any person to let horses, mares, or geldings for hire as aforesaid, which list or account shall specify the christian and surname of the person licensed, the place of residence, the names of the inn (if any), and the date of every such licence; and if any such collector shall neglect or refuse to transmit and send every such bond, account, or list as aforesaid, he shall forfeit and pay the sum of 100*l.*, 4 *G. 4. c. 62. s. 13.*

58. No deputation or commission to be hereafter granted pursuant to this act, appointing any person to be a collector of the said duties on horses let for hire in the manner aforesaid, shall be charged or chargeable with any higher stamp-duty than 1*l.* and 15*s.*; and that no bond by this act required to be given by any postmaster or other person letting horses for hire as aforesaid shall be charged or chargeable with any higher stamp-duty than 10*s.*, 4 *G. 4. c. 62. s. 14.*

59. Every postmaster or other person letting any horse, mare, or gelding for hire, shall be chargeable with and made liable for the payment of the duty by this act imposed in respect of every such letting for hire, whether the person letting such horse, mare, or gelding for hire shall have received such duty or not; and that every postmaster or other person who shall receive the hire for any horse, mare, or gelding, shall be considered as the person to whom the duties herein-before granted shall be paid, and shall be chargeable with and accountable for the same, as if such postmaster or other person was the actual proprietor of such horses, mares, or geldings, although the same may belong to and be the property of some other licensed postmaster or other person; and that where any postmaster or other person so licensed as aforesaid, at whose inn, house, or other place any person shall apply to change horses, if he or she cannot furnish horses to convey such person on his or her

journey, when applied to for that purpose, such postmaster or other person shall issue, to any person requiring the same, a fresh ticket properly filled up, and receive the duty due thereon, and charge himself or herself therewith, in the same manner as if such horses had been hired from such postmaster or other person, 4 *G. 4. c. 62. s. 15.*

40. If any person not being licensed to let horses for hire as aforesaid, shall after the said 31st Jan. 1824, let for hire any horse, mare, or gelding, as aforesaid, he or she shall be chargeable with and accountable for the duty hereby made payable for and in respect of every horse, mare or gelding which shall be so let for hire, in such and the same manner as if he or she had obtained such licence as aforesaid, and had received such duty of and from the person hiring such horse, mare, or gelding as aforesaid; and shall from time to time, upon a week's notice in writing for that purpose given by any collector of the said duties for the county, district, or place where he or she shall so let any horse, mare, or gelding for hire as aforesaid, deliver to such collector, whenever by him requested, after the expiration of such notice, a true account in writing, signed by him or her, of every such horse, mare, or gelding which he or she shall have let for hire in the manner aforesaid, and shall not then have already accounted for, and of the mode and manner in which every such horse, mare, or gelding shall have been let for hire, and of the duty payable in respect thereof, in such and the same manner as is hereby required to be done by persons licensed to let horses for hire as aforesaid, and shall also verify such account by oath or affirmation (to be administered by such collector), in like manner as licensed persons are hereby required to do, and shall thereupon pay to such collector the amount of such duty; and in case of any refusal or neglect so to do, then he or she shall forfeit and pay the sum of 20*l.* for every default in not delivering such account, verified as aforesaid, and double the amount of the duty which he or she shall be then chargeable with: provided, that where any such notice shall have been given and request made for the delivery of such account as aforesaid, then upon the delivery of such account, and payment of the duty due thereon, in pursuance of such notice and request, and upon taking out such licence as ought to have been taken out by him or her previously thereto, the person so delivering such account shall be indemnified and discharged from any penalty which he or she may be then liable to, in consequence of having let for hire any horse, mare, or gelding, in the manner mentioned in such account, without having obtained such licence as aforesaid, 4 *G. 4. c. 62. s. 16.*

41. No person hiring any horse, mare, or gelding, shall be compelled to pay for a greater number of miles, for the hire of such horse, mare, or gelding, than shall be expressed upon the ticket by this act directed to be delivered to such person; and if any postmaster or other person so licensed as aforesaid shall insert in such ticket the name of any other town or place than the town or place to, or to and from which, the horse, mare, or gelding shall be hired to go, or to go and return, or a less number of miles, every postmaster or other person so offending shall forfeit and pay the sum of 10*l.*; and the said commissioners shall, if they think fit, after conviction of such offender, refuse to grant such offender any licence in future, 4 *G. 4. c. 62. s. 17.*

42. If any postmaster or other person, licensed to let horses for hire in manner aforesaid, shall die or become insolvent, it shall be lawful for his or her executors or administrators, assignees or trustees, or other persons succeeding to or taking possession of such inn, house, or other place, to let horses for hire in manner aforesaid, until such time as such person shall procure such licence and give such security as herein-before directed without being liable to the penalty herein-before imposed upon persons letting horses for hire without being licensed in that behalf; provided that such licence be taken out within 30 days after the death or insolvency of such postmaster or other person; and such person shall be subject to the same rules, regulations, and charges, and liable to account for and pay the duties hereby imposed, in like manner as such postmaster or other person was subject and liable, 4 *G. 4. c. 62. s. 18.*

43. Every postmaster or other person who shall, from and after the said 31st Jan. 1824, let any horse, mare, or gelding for hire, shall by himself or herself, or his or her servants, previous to the using any such horse, mare, or gelding, deliver to the person hiring any such horse, mare, or gelding, one or more ticket or tickets, properly filled up as to all the particulars herein-before mentioned, which shall be applicable to the hiring of such horse, mare, or gelding; and that every postmaster or other person who shall let for hire any horse, mare, or gelding, for 28 successive days or more, shall in like manner as aforesaid deliver to the person hiring such horse, mare, or gelding, one or more of the certificates herein-before mentioned, properly filled up as to the several particulars herein-before mentioned, in respect of every such letting for hire; and if any postmaster or other person as aforesaid, under any pretence whatsoever, shall neglect or refuse to deliver to the person hiring any such horse, mare, or gelding, one or more of the tickets or certificates herein-before directed to be delivered to such person, properly filled up, as to the several particulars herein-before mentioned, applicable to

such respective letting for hire, such postmaster or other person shall forfeit and pay the sum of 10*l.*, 4 *G. 4. c. 62. s. 19.*

44. From and after the said 31st Jan. 1824, where any person so licensed to let horses for hire as aforesaid, shall let for hire any horse, mare, or gelding for 28 successive days or more, and such horse, mare, or gelding, shall be given up and returned to the person letting the same before the expiration of the time for which such horse, mare, or gelding shall have been so let for hire, the person so letting such horse, mare, or gelding, shall, at the time of receiving back such horse, mare, or gelding, ask for and receive of and from the person so returning or giving up such horse, mare, or gelding, the check-ticket which he or she shall have received in exchange for the original ticket or certificate delivered to him, her, or them, on the letting for hire such horse, mare, or gelding, and shall within three days after the return of such horse, mare, or gelding, deliver up or transmit such check-ticket to the collector of the aforesaid duties, to whom he or she shall be bound to deliver his or her stamp-office weekly account; and if any person so licensed as aforesaid shall refuse or neglect to ask for such check-ticket, or having received the same shall refuse or neglect to deliver it up or transmit the same to the said collector within the time aforesaid, he or she shall for every such offence forfeit and pay the sum of 20*l.*; and if he or she shall use any such check-ticket, or permit the same to be used, or give out the same to any person for the purpose of being used to cover and protect any other letting for hire whatever from the duty hereby granted, he or she shall for every such offence forfeit and pay the sum of 50*l.*, 4 *G. 4. c. 62. s. 20.*

45. Every person hiring any horse, mare, or gelding, before using the same, shall receive of and from the person letting the same one or more of the tickets or certificates, properly filled up as to the several particulars in that behalf herein-before mentioned, which shall be applicable to the hiring of such horse, mare, or gelding, and shall leave and deliver every such ticket or certificate with the keeper of any toll-gate or bar, at the first toll-gate or bar which the person hiring or using any such horse, mare, or gelding shall pass or go through, and shall ask for and receive of and from such keeper of any toll-gate or bar the necessary exchange or check-ticket as aforesaid, containing the several particulars in that behalf herein-before mentioned, which shall be applicable to the hiring of any such horse, mare, or gelding, which exchange or check-ticket shall be produced and shown by the person hiring or using any such horse, mare, or gelding, at every toll-gate or bar through which he or she shall afterwards pass or go with such horse, mare, or gelding at any time within the period for which such horse, mare, or gelding shall have been let for hire as aforesaid, 4 *G. 4. c. 62. s. 21.*

46. If any person hiring or using any horse, mare, or gelding, shall neglect or refuse to deliver, produce, or show, at any toll-gate or bar, the ticket, exchange-ticket, certificate, or check-ticket which he or she ought, according to the provisions of this act, to deliver, produce, or show at such toll-gate or bar, and shall falsely allege such horse, mare, or gelding with which he or she shall pass such toll-gate or bar, to be his or her own and not hired, in order to avoid being stopped, or to avoid the payment of the sum which the keeper of any toll-gate or bar shall be entitled to demand, in default of such ticket, exchange-ticket, certificate, or check-ticket being delivered or shown as aforesaid, every person so offending shall for every such offence forfeit and pay the sum of 10*l.*, 4 *G. 4. c. 62. s. 22.*

47. The keeper of every toll-gate or bar in any city, town, or other place through which any horse, mare, or gelding let for hire for drawing any carriage or vehicle as aforesaid, shall or may first pass or go, shall ask and demand of and from the person using such horse, mare, or gelding, the ticket or certificate issued for and in respect of such horse, mare, or gelding; and every such keeper of such toll-gate or bar shall deliver to the person hiring or using any such horse, mare, or gelding, one or more exchange-tickets or check-tickets, properly filled up as to the particulars in that behalf herein-before mentioned, and shall receive and write his or her name upon and file all and every such ticket or certificate; and every such keeper of such toll-gate or bar is hereby authorized and empowered to prevent any horse, mare, or gelding let for hire in any of the ways aforesaid, passing or going through such toll-gate or bar, unless the person hiring or using any such horse, mare, or gelding, shall first deliver or produce and show to the keeper of such toll-gate or bar the necessary ticket, certificate, exchange-ticket, or check-ticket aforesaid, containing and specifying the particulars in that behalf herein-before mentioned, which shall be applicable to the hiring of such horse, mare, or gelding as aforesaid, or shall pay or offer to pay to the keeper of such toll-gate or bar the sum of 1*s.* 9*d.* for and in respect of every such horse, mare, or gelding; which sum the keeper of such toll-gate or bar is hereby authorized to ask, demand, and receive, to and for his or her own use and benefit, 4 *G. 4. c. 62. s. 23.*

48. If any keeper of any toll-gate or bar shall neglect to ask and demand, or shall refuse to receive from any person hiring or using any horse, mare, or gelding, any ticket or certificate hereby directed to be delivered to such keeper of any toll-gate or bar as aforesaid, or shall

neglect or refuse to write his or her name, or to file the same when delivered, such keeper of such toll-gate or bar as aforesaid shall for every such offence forfeit and pay the sum of 10*l.*, 4 *G. 4. c. 62. s. 24.*

49. If any keeper of any toll-gate or bar shall neglect or refuse to give to any person hiring or using any horse, mare, or gelding, the ticket hereby directed to be given in exchange; or shall deliver an exchange or check-ticket without having first received the necessary ticket or certificate containing the particulars in that behalf herein-before mentioned, applicable to the hiring of any horse, mare, or gelding as aforesaid; or shall make, or permit or cause or suffer to be made, any alteration whatever in any ticket hereby authorized to be received and filed by him or her, after any such ticket shall have come to his or her possession or custody; or shall deliver any ticket, herein-before directed to be received and filed by him or her, to any person other than the person duly authorized as herein mentioned to receive the same; or shall permit or suffer any person to examine, see, or inspect any ticket directed to be by him received and filed as aforesaid, other than the person duly authorized to receive such ticket; or if any keeper of any toll-gate or bar shall ask, demand, or receive, or agree to take or accept any less sum than he or she is hereby authorized to ask, demand, and receive, and retain to his or her own use, every such keeper of any toll-gate or bar as aforesaid, offending in any or either of the cases aforesaid, shall for every such offence forfeit and pay the sum of 10*l.*, 4 *G. 4. c. 62. s. 25.*

50. The keeper of every toll-gate or bar within the distance of five miles from the head office of stamps in the city and liberties of *Westminster* shall bring all and every the tickets and certificates required by him or her to be received to the said head office, or to such other place within the bills of mortality as the said commissioners shall appoint; and if such toll-gate or bar shall be beyond the distance of five miles from the head office aforesaid, then the keeper of every such toll-gate or bar shall bring or cause to be brought all and every the tickets and certificates by him or her received as aforesaid to such places and at such times as the collector appointed to collect such tickets and certificates shall require, provided such places shall not be at a greater distance than the nearest market town; and such keeper of every such toll-gate or bar shall, upon demand made to him or her for that purpose, deliver up all such tickets and certificates as aforesaid to the collectors to be appointed as aforesaid; and if any keeper of any toll-gate or bar shall neglect or refuse to attend with and deliver up all and every the ticket or tickets, certificate or certificates, so received by him or her as aforesaid, at the time and place herein-before mentioned in that behalf as aforesaid, every such keeper of any toll-gate or bar shall, for each ticket or certificate he or she shall so neglect or refuse to deliver up, forfeit and pay the sum of 20*s.*, 4 *G. 4. c. 62. s. 26.*

51. And for the encouragement of the keepers of the toll-gates or bars in the execution of this act, and as a compensation for their trouble, be it further enacted, That every keeper of any toll-gate or bar shall be and he is hereby authorized to demand and receive, from the collector or other person appointed to get in such tickets as aforesaid, and to whom such keeper of any toll-gate or bar shall deliver such tickets as aforesaid, the sum of one farthing for and in respect of each horse specified in any ticket; and also the sum of one farthing for each such horse for every day more than one and less than 28 successive days in such tickets mentioned; and such collector or other person is hereby authorized to pay and allow the same accordingly, which allowance shall be over and above the allowance or privilege hereby given to such keepers of any toll-gate or bar, of retaining the money by him, her, or them collected from such person who shall not, pursuant to this act, deliver, produce, or show the ticket, exchange-ticket, certificate, or check-ticket, as is herein-before directed, to the keeper of any toll-gate or bar as aforesaid, 4 *G. 4. c. 62. s. 27.*

52. It shall be lawful for any collector, or other person duly authorized as aforesaid, from time to time to enter into and remain in any toll-house or other place at the gate or bar of which any toll is by law payable, for the purpose of examining and receiving the tickets and certificates by this act directed to be delivered; and if any keeper of any toll-gate or bar, or any other person shall refuse to permit any collector, or other person authorized as aforesaid, from time to time to enter into and remain in any such toll-house or other place as aforesaid, or to examine and receive such tickets or certificates as aforesaid, or shall obstruct, hinder, or molest such collector, or other person so authorized, in entering into and remaining in such toll-house or other place as aforesaid, for the purpose of examining and receiving such tickets or certificates; or if any keeper of any toll-gate or bar, or any other person shall in any way hinder, molest, interrupt, or disturb any such collector, or other person authorized as aforesaid, in the reasonable use of such toll-house or other place as aforesaid, for the purpose aforesaid, every keeper of any such toll-gate or bar, and every person aiding and assisting such keeper of any toll-gate or bar, offending in any of the cases aforesaid, shall for every such offence forfeit and pay the sum of 20*l.*, 4 *G. 4. c. 62. s. 28.*

53. In calculating the amount of duty to be paid, when the same shall be one-fifth part of the sum charged for any letting for hire of any horse, mare, or gelding, such one-fifth part shall be calculated upon the whole sum charged by such postmaster or other person letting such horse, mare, or gelding, for and in respect of such horse, mare, or gelding so let for hire, and of the carriage (if any) used therewith; and that in calculating the amount of the duty to be paid as aforesaid, no fractional part of any sum amounting to a less sum than 1*d.* shall be charged in respect of any part of the said duties; and that the inn, house, or other place at which any person shall be licensed to let horses for hire as aforesaid, shall be deemed and taken to be the place of letting for hire of every horse, mare, or gelding by him or her so let for hire; and that where any horse, mare, or gelding which shall have been let for hire for any period of time, and shall be retained and kept beyond the expiration of the time for which the same shall have been let for hire without a new hiring or new hirings, every such horse, mare, or gelding shall be deemed and taken, so far as relate to the duties imposed by this act, to have been retained and kept upon a hiring similar to that for which every such horse, mare, or gelding was originally let for hire, 4 G. 4. c. 62. s. 29.

54. From and after the said 31st Jan. 1824, all and every person letting horses for hire as aforesaid, shall insert and set forth in his or her stamp-office weekly account the several particulars following; that is to say, whenever he or she shall let for hire by the mile any horse, mare, or gelding, the day of the month, the month and year for which such horse, mare, or gelding shall be let for hire, the names of the towns or places from and to which, or from and to which and back again, such horse, mare, or gelding shall be hired to go, the number of every carriage which he or she shall furnish with any such horse, mare, or gelding (if by this act required to be numbered), the christian and surname of every postillion or driver employed therewith, the number of horses, mares, or geldings so let for hire, and also the amount of the duty payable for and in respect of every such letting for hire; and whenever such person letting horses for hire as aforesaid shall let for hire for a day or less period of time, to be used within the distance of eight miles from the place of letting for hire any horse, mare, or gelding as aforesaid for the purpose of drawing any carriage conveying any person as aforesaid, any horse, mare, or gelding, he or she shall insert and set forth in his or her stamp-office weekly account, the several particulars following; that is to say, the day of the month, the month and year, on which such horse, mare, or gelding shall be let for hire, the number of every carriage, if by this act required to be numbered, the christian and surname of every postillion or driver employed with such horse, mare, or gelding, the number of horses, mares, or geldings so let for hire, and the amount of the sum charged for such letting for hire; and shall be answerable and accountable for one-fifth part of such sum of money so charged, or for the sum of 1*s.* 9*d.* for each horse, mare, or gelding so let for hire; and shall enter in his or her stamp-office weekly account such one-fifth part of such sum charged, or the sum of 1*s.* 9*d.* for each horse, mare, or gelding, as and for the duty payable in respect of any horse, mare, or gelding so let for hire as aforesaid; and whenever such person letting horses for hire as aforesaid shall let for hire any horse, mare, or gelding to go no greater distance than eight miles from the place of letting for hire any horse, mare, or gelding, where such horse, mare, or gelding shall not bring back any person, and shall not deviate from the usual line of road between the place of letting and the place or distance to which every such horse, mare, or gelding shall be hired to travel or go, for the purpose of drawing any carriage or vehicle conveying any person as aforesaid, he or she shall insert and set forth in his or her stamp-office weekly account the several particulars following; that is to say, the day of the month, and month and year, on which such horse, mare, or gelding shall be so let for hire, the number of every carriage, if by this act required to be numbered, the christian and surname of every postillion or driver employed with such horse, mare, or gelding, the number of horses, mares, or geldings so let for hire, and also the amount of the duty payable for and in respect of every such letting for hire as aforesaid; and whenever such person letting horses for hire as aforesaid shall let for hire for any period of time less than 28 successive days, and in any other manner than by the mile, or to go no greater distance than eight miles in either of the cases aforesaid, any horse, mare, or gelding, he or she shall insert and set forth in his or her stamp-office weekly account the several particulars following; that is to say, the day of the month, the month and year, on which such horse, mare or gelding shall be let for hire, and from and to what place, or from and to what place and back again, such horse, mare, or gelding shall be hired to go, the number of every carriage which shall be furnished therewith, if by this act required to be numbered, the christian and surname of every postillion or driver employed with such horse, mare, or gelding, the amount of the sum charged for the hire or use of such horse, mare, or gelding, the time for which the same shall be let for hire or used, the number of horses, mares, and geldings so let for

hire, and where the distance shall be ascertained the number of miles which the same shall be hired to go, or to go and return; and in all cases the amount of the duty payable for and in respect of every horse, mare, or gelding, upon every letting for hire or using; and whenever such person letting horses for hire as aforesaid shall let for hire for 28 successive days or more, any horse, mare, or gelding as aforesaid, he or she shall insert and set forth in his or her stamp-office weekly account the several particulars following; that is to say, the number of horses, mares, or geldings so let for hire, the day of the month, the month and year, on which such hiring shall commence, the number of every carriage which shall be furnished therewith (if by this act required to be numbered), the christian and surname of every postillion or driver employed with such horse, mare, or gelding, the time for which the same shall be hired, and the name and place of abode of the person hiring the same; and he or she shall also insert in every such account a memorandum or notice of all horses, mares, or geldings which shall have been let for hire by him or her as aforesaid, for 28 successive days or more, and which since the date of his or her last account shall have been given up and returned to him or her by the hirer before the expiration of the time for which such horse, mare, or gelding shall have been let for hire, and the day of the month on which the same shall have been so given up and returned, and shall be answerable and account for one-fifth part of the sum received or agreed to be received for such letting for hire or using, for and in respect of every such horse, mare, or gelding, or the sum of 2*s.* 6*d.* for each day not exceeding three days, and the sum of 1*s.* 9*d.* for each day exceeding three days and not exceeding 13 days, and the sum of 1*s.* 3*d.* for each day exceeding 13 days and less than 21 days, during the time every such horse, mare, or gelding shall have been under the direction of the person hiring the same, by virtue of such letting for hire as aforesaid; and in case of any refusal or neglect of any person letting any horse, mare, or gelding, for hire as aforesaid, to insert in his or her stamp-office weekly account the particulars herein-before respectively mentioned, or any or either of them, applicable to each letting for hire, such person shall for such refusal or neglect forfeit and pay the sum of 20*l.*, 4 G. 4. c. 62. s. 30.

55. From and after the said 31st Jan. 1824, every person so licensed as aforesaid, who shall let for hire any horse, mare, or gelding as aforesaid, shall enter in his or her stamp-office weekly account the several particulars by this act required to be inserted therein, on the same or following day on which any such horse, mare, or gelding shall be so let for hire, or so given up and returned as aforesaid; and in default thereof he or she shall, for every such default, forfeit and pay the sum of 40*s.*, 4 G. 4. c. 62. s. 31.

56. The stamp-office weekly account required to be kept by every postmaster or other person licensed to let horses for hire as aforesaid, shall be open for the inspection and examination, at all seasonable times, of the said commissioners of stamps, or any collector appointed by them as aforesaid; and if any postmaster or other person as aforesaid shall refuse to permit and suffer the said commissioners of stamps, or any collector appointed by them as aforesaid, at any seasonable time, to inspect his or her stamp-office weekly account, such postmaster or other person so licensed as aforesaid shall, for every such refusal as aforesaid, forfeit and pay the sum of 10*l.*, 4 G. 4. c. 62. s. 32.

57. From and after the said 31st Jan. 1824, every person licensed as aforesaid, residing in the city of London or liberty of Westminster, or within the distance of five miles from the head office of stamps, or within the bills of mortality, shall attend and deliver his or her stamp-office weekly accounts, and pay the duties for which he or she shall be accountable, unto the said commissioners of stamps, at the said head office, or to some collector authorized to receive the same, at such place and at such time as shall be appointed for that purpose, by a notice to be written or printed upon the blank forms of the stamp-office weekly accounts, which shall from time to time be delivered to him or her by any authorized collector of the said duties, for the purpose of making therein the entries required by this act, provided such place be not at a greater distance than two miles from the said head office; and every person so to be licensed as aforesaid, not residing within five miles of the head office of stamps, or within the bills of mortality, shall attend and deliver his or her stamp-office weekly accounts, and pay the duties for which he or she shall be accountable, unto the collector authorized to receive the same, at such place in the market town in which he or she shall reside, or in the nearest market town to his or her place of residence, and at such time as shall be appointed for that purpose by a notice to be written or printed upon the blank forms of the stamp-office weekly accounts, which shall from time to time be delivered to him or her by any authorized collector of the said duties, for the purpose of making therein the entries required by this act, under the penalty of 10*l.* for every default in not delivering such account, and double the amount of the duties due and payable by such licensed persons, 4 G. 4. c. 62. s. 33.

58. And for the more effectually taking an account of the several duties imposed by this act, and preventing frauds therein; be it further enacted, That from and after the said 31st Jan. 1824, every postmaster or other person so licensed to let horses for hire as aforesaid, shall, at the respective times of delivering his or her account to the said commissioners, or other person authorized by them to receive the same, and the money due thereon, make oath, or being one of the people called Quakers, make and subscribe a solemn affirmation before such commissioners or other person authorized as aforesaid, who are hereby respectively authorized and empowered to administer such oath and affirmation, to the truth of the account then delivered, in the form following:

‘ I A. B. do swear [or affirm, in the case of a Quaker], that the stamp-office weekly account [or accounts] now delivered by me, doth or do contain a just and true statement of the number of horses, mares, and geldings which have been let for hire by me, or my servants, or on my account and behalf, from the — day of — to the — day of — both inclusive, together with the manner in which such horses, mares, and geldings have been so let for hire as aforesaid, and also the full amount of the duty due and payable by me, or for which I am chargeable or accountable, for or in respect of every such horse, mare, or gelding so let for hire by me, or on my account as aforesaid, during the time aforesaid; all which said statements, matters and things, and all the other particulars contained in the said account or accounts, so far as regards myself and my own acts, are true, and so far as regards the acts of my servants, or of any other person or persons on my behalf, are true to the best of my knowledge and belief.
So help me God.’

Which said oath or affirmation shall be made and subscribed before the said commissioners of stamps, or other person authorized to receive such account as aforesaid; which said commissioners of stamps, or other person authorized as aforesaid, are and is hereby respectively empowered to administer such oath or affirmation; and if any person making such oath or affirmation shall knowingly and wilfully make a false oath or affirmation, of or concerning any of the matters to be therein specified and set forth, every person so offending, and being thereof lawfully convicted, shall be subject and liable to such pains and penalties as by any law now in force persons convicted of wilful and corrupt perjury are subject and liable, 4 G. 4. c. 62. s. 34.

59. And to prevent disputes as to the rate or value at which any of the tickets, delivered in pursuance of this act to postmasters, or other persons letting horses for hire as aforesaid, and which may remain unaccounted for on the 31st Jan. in each and every year, shall be settled and accounted for; be it enacted, That every such ticket delivered as aforesaid, and which shall remain unaccounted for at the time aforesaid, shall be valued in account and paid for at and after the rate of 1s. for each horse, according to the number of horses expressed by figures on such ticket, and in the receipt given by such postmasters or other persons for the same, 4 G. 4. c. 62. s. 35.

60. The receiver-general at the head office, and the said other collectors duly appointed to receive the duties hereby imposed, shall, at the time of settling the respective accounts of the several licensed postmasters and other persons, allow to them, and deduct from their respective accounts, at and after the rate of 3d. in the pound out of the monies by them regularly accounted for, and paid to such receiver-general or other collector, on account of the duties imposed by this act, 4 G. 4. c. 62. s. 36.

61. And for the convenience of persons residing in cities or populous towns (other than the cities of London and Westminster, or the borough of Southwark), letting for hire or using horses, mares, or geldings for drawing coaches or other carriages, to be used as or in the nature of hackney-coaches, and for rendering it unnecessary for such persons, in respect of horses, mares, or geldings let for hire or used as last aforesaid, to keep the weekly accounts hereby directed to be kept by persons letting horses for hire; be it further enacted, That every person letting for hire or using any horse, mare, or gelding, for drawing any such coach or carriage, to be used as or in the nature of a hackney-coach, any distance not exceeding five miles from the general post-office of any city, town, or place, (such coach or carriage not being licensed as a carriage or vehicle conveying passengers for hire at separate fares, as a public stage-coach or carriage,) shall be subject and liable to the payment of the duties following; that is to say, the sum of 5s. per week for or in respect of the horses, mares, or geldings let for hire or used for drawing every such coach or carriage, used as or in the nature of a hackney-coach, when drawn by two horses, mares, or geldings; and the sum of 3s. per week for or in respect of every horse, mare, or gelding let for hire or used for drawing any such coach or carriage, used as or in the nature of a hackney-coach, when drawn by one horse, mare, or gelding, in lieu of the duties by this act chargeable upon horses, mares, or geldings let for hire: Provided, that if any horse, mare, or gelding used for drawing any such coach or carriage, used as or in the nature of a hackney-coach, shall go a greater distance than five miles from any such general post-office as aforesaid, the person letting for hire or using any

such horse, mare, or gelding, shall be subject to the same rules and regulations, and shall be chargeable with and accountable for the duties hereby generally imposed in respect of horses, mares, or geldings let for hire; and provided also, that the person letting for hire or using any horse, mare, or gelding for drawing any such coach or carriage, as or in the nature of a hackney-coach as aforesaid, shall take out a licence expressly authorizing him so to do, and shall cause every such coach or carriage to be numbered, and his christian and surname, and the name of the city, town, or place, to be painted and inscribed upon the outside pannel of each door, or upon some conspicuous part of such coach or carriage as aforesaid, in like manner as is herein-before directed in respect of carriages kept to be furnished or used with horses let for hire, under and subject to the like penalties as are hereby imposed upon persons neglecting to take out licences; or to number any coach or carriage kept to be furnished or used as aforesaid; or to paint thereon the name of the person letting to hire or using any such horse, mare, or gelding, and the name of the city, town, or place where such coach or other carriage shall be kept; and every person letting or using such horse, mare, or gelding for hire, for drawing such coach or carriage used as or in the nature of a hackney-coach as aforesaid, shall attend and pay the said weekly duties at such times and places as persons licensed to let horses for hire are required by this act to do, and shall be subject and liable to the like penalty for any neglect or default in attending and paying such duties as aforesaid; provided also, that nothing in this clause contained shall be construed to exempt from the payment of the general duties by this act imposed, any person letting horses for hire to draw any such coach or carriage, unless such coach or carriage shall be regularly and constantly used, and shall regularly and constantly ply in the public streets of some city or town as a hackney-coach; and that in all informations, actions, suits, or other proceedings in any of H. M.'s courts of record, or before any justice of the peace, respecting the payment of any duty, or the recovery of any penalty, in respect of any horse, mare, or gelding, used in drawing any such coach or carriage, the proof of such coach or carriage being a coach or carriage regularly and constantly used, and regularly and constantly plying in the public street as aforesaid, shall be upon the person letting such horse, mare, or gelding for hire; and provided also, that nothing in this act contained respecting the licences to be taken out by persons letting for hire or using any horses, mares, and geldings for drawing any coaches or carriages to be used as or in the nature of hackney-coaches, or respecting the painting the names or numbers upon such coaches, shall be construed to extend to coaches or carriages which are or hereafter may be subject to the provisions contained in any local act of parliament, 4 G. 4. c. 62. s. 37.

62. From and after the said 31st Jan. 1824, where any person liable to account for and pay any duty granted by this act for and in respect of horses, mares, or geldings by him let for hire as aforesaid, shall refuse or neglect to account for and pay the same, according to the directions of this act, to the collector appointed to receive such duties for the county, district, or place where he shall have let to hire such horses, mares, or geldings, and such duty shall not exceed the sum of 20l., it shall be lawful for such collector, first obtaining a warrant for that purpose under the hand and seal of any one or more of H. M.'s justices of the peace residing near the place where any such letting for hire shall have been made (which justice, on complaint made to him or them, shall summon the party complained of, and the witnesses on either side, and examine into the matter of fact, and shall grant such warrant, on due proof being made of the sum due and owing for such duty or duties as aforesaid, by the voluntary confession of the party, or by the oath of one witness), to distrain such person by his goods and chattels, for the amount of such duty, and the distress so to be taken to detain and keep for the space of five days, at the costs and charges of such person; and if he shall not within that time pay the amount of such duty, with the costs and charges of taking and keeping such distress, then the goods and chattels so distrained shall be sold by such collector, who shall render the overplus of the money arising by the sale thereof (if any shall remain), after deducting and retaining the amount of such duty, and the costs of taking, keeping, and selling such distress, to the person so to be distrained as aforesaid; and it shall also be lawful for such collector, for the purpose of taking such distress, to break open in the day-time any house or place where any goods or chattels of such person shall be, being thereunto authorized by such warrant as aforesaid, and calling to his assistance a constable, tithingman, or headborough, or other officer of the county, shire, stewardry, city, town, or place, where any refusal or resistance shall be made, which said officers are hereby required to aid and assist therein; and the leaving of the summons to appear before such justice at the dwelling-house or usual or last known place of abode of the party complained of, shall be deemed a good service thereof, 4 G. 4. c. 62. s. 38.

63. And whereas it is expedient, that the horses, mares, and geldings let for hire, and also the coaches, chaises, and other carriages, harness,

and other articles and things used with such horses, mares, or geldings, should be made subject and liable to the duties hereby imposed, and which may be in arrear and owing from time to time by any such postmaster or other person letting horses for hire as aforesaid; be it therefore enacted, That from and after the said 31st Jan. 1824, all the horses, mares, and geldings kept for the purpose of being let for hire, and also all the coaches, chaises, and other carriages, harness, and other articles and things kept and used with such horses, mares, and geldings, in the custody or possession of such postmaster or other person letting horses for hire as aforesaid, or in the custody or possession of any other person for the use and on the account of or in trust for such postmaster or other person, shall be and the same are hereby made subject and liable to and chargeable with the said duties from time to time due, in arrear, and owing, or which shall become due and payable from time to time, from or by such postmaster or other person as aforesaid, for or in respect of any horses, mares, or geldings which shall have been let for hire as aforesaid by him, or by any other person for his use or account as aforesaid, 4 G. 4. c. 62. s. 39.

64. Every postmaster or other person letting horses for hire as aforesaid, who shall be guilty of any wilful concealment, or of making any false account, or any other fraudulent contrivance, device, or pretence whatsoever, with an intent or design to defraud H. M., or any person, of any of the duties imposed by this act, or any part thereof, shall forfeit the sum of 50*l.*: and the said commissioners of stamps shall, if they shall so think fit, after judgment obtained against the offender, refuse to grant such offender any licence in future, 4 G. 4. c. 62. s. 40.

65. If any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or wilfully aid or assist in the false making, forging, or counterfeiting, any ticket or certificate by this act authorized or directed to be used, with an intent to defraud H. M., or any person, of any of the said duties, or shall utter or publish as true any false, forged, or counterfeited ticket or certificate, with an intent to defraud H. M., or any person, of any of the said duties, every person so offending in any or either of the cases aforesaid, shall forfeit and pay the sum of 50*l.*, 4 G. 4. c. 62. s. 41.

66. In all actions, bills, plaints, informations, and proceedings, had, commenced, prosecuted, entered, or filed, or hereafter to be had, commenced, prosecuted, entered, or filed, in the name of H. M., or in the name of any other person, for the recovery of any of the duties, debts or penalties granted or imposed, due or payable under this act, it shall be lawful for H. M., or any other person suing or prosecuting for the same, to have and recover such duties, debts, and penalties, with full costs of suit, and all other reasonable charges and expences attending the same, 4 G. 4. c. 62. s. 42.

67. Any pecuniary penalty imposed by this act, which shall amount to the sum of 10*l.* or more, shall or may be sued for in any of H. M.'s courts at Westminster, for any offence committed in Eng., or Wa., or Berwick-upon-Tweed, and in H. M.'s courts of exchequer in Scot., for any offence committed in that part of G. B. called Scot., by action of debt, bill, plaint, or information, wherein no essoign, protection, privilege, wager of law, or more than one imparlance shall be allowed, 4 G. 4. c. 62. s. 43.

68. Provided, that it shall be lawful for any justice of the peace, residing near the place where the offence shall be committed, to hear and determine any offence against this act which may subject any offender to any pecuniary penalty not amounting to 50*l.*, which said justice of the peace is hereby authorized and required, upon any information exhibited or complaint made to him in that behalf, to summon the party accused, and also the witnesses on either side, and to examine into the matter of fact, and upon due proof made thereof, either by the voluntary confession of the party accused, or by the oath of one witness, to give judgment or sentence of dismissal, or for the penalty or forfeiture as is hereby directed; and to award and issue out his warrant under his hand and seal for the levying any pecuniary penalty or forfeiture so adjudged, together with the costs by this act directed to be allowed, on the goods of the offender, and to cause sale to be made thereof, in case they shall not be redeemed within six days, rendering to the party the overplus (if any); and where goods of such offender cannot be found sufficient to answer the penalty, costs and charges as aforesaid, to commit such offender to prison, for the space of six calendar months, unless such pecuniary penalty, costs and charges, shall be sooner paid and satisfied; and if any person shall find himself aggrieved by the judgment or sentence of dismissal of any such justice, then he shall and may (upon giving security to the amount of the penalty sought to be recovered, together with such costs and charges as shall be awarded by such justice, in case judgment or sentence of dismissal shall be affirmed,) appeal to the justices of the peace at the next general quarter sessions for the county, riding, or place, who are hereby empowered to summon and examine witnesses upon oath, and finally to hear and determine the same; and in case the judgment or sentence of dismissal of such justice shall be affirmed, it shall be lawful for such justices to award the person

so appealing to pay such costs occasioned by such appeal as to such justices shall seem meet: provided, that if the next general quarter sessions of the peace shall fall within six days after such judgment or sentence of dismissal, it shall be lawful for the person so finding himself aggrieved as aforesaid, if he shall think fit, giving such security as aforesaid, to appeal to the next subsequent quarter sessions; and that no such proceedings so to be had or taken, shall be quashed or vacated for want of form, or removed by certiorari, or any other writ or process, into any of H. M.'s courts of record at Westminster, or elsewhere in Eng. or Wa.; nor shall any such proceeding before such justice be taken or removed by a certiorari, suspension, advocacy, or reduction, or by any other writ, process, or proceeding, into the court of session, court of judicatory, or court of exchequer in Scot., 4 G. 4. c. 62. s. 44.

69. If any person shall be summoned as a witness to give evidence before any justice, touching any of the matters relating to this act, either on the part of the prosecution, or of the person accused, and shall neglect or refuse to appear at the time and place to be for that purpose appointed, without a reasonable excuse for such his or her neglect or refusal, to be allowed by such justice, or appearing shall refuse to be examined on oath, and give evidence before such justice before whom the prosecution shall be depending, every person so summoned, and so neglecting or refusing as aforesaid, shall forfeit for every such neglect or refusal the sum of 5*l.*, 4 G. 4. c. 62. s. 45.

70. A conviction or a judgment, or a sentence of dismissal, in the form and to the effect following, (*mutatis mutandis*) as the case shall happen to be, shall be good and effectual, to all intents and purposes whatsoever, without stating the case, or the facts or evidence in any particular manner; that is to say,

'Be it remembered, that on the — day of — in the year of our Lord — at — in the — of — A. B. came before me C. D., one of H. M.'s justices of the peace for the said — residing near the place where the offence was committed, and informed me that E. F. of — on the — day of — at — in the said — did [*here set forth the fact for which the information is laid*]; whereupon the said E. F., after being duly summoned to answer the said charge, appeared before me on the — day of — at — in the said — and having heard the charge contained in the said information, declared he was guilty of the said offence; [*or, (as the case may happen to be,) did not appear before me pursuant to the said summons; or, did neglect or refuse to make any defence against the said charge*]; but the same being fully proved upon the oath of G. H. a credible witness; or, (*as the case may happen to be,*) acknowledged and voluntarily confessed the same to be true; and it manifestly appearing to me, that he the said E. F. is guilty of the offence charged upon him in the said information, I do hereby convict him of the offence aforesaid, and do declare and adjudge that he the said E. F. hath forfeited the sum of — of lawful money of G. B., for the offence aforesaid, to be distributed as the law directs, according to the form of the statute in that case made and provided; [*or, after stating the summons and non-appearance of the said defendant, or, the appearance of the said defendant, and that he was not guilty of the said offence, as the case may be,*] and it manifestly appearing to me that he the said E. F. is not guilty of the said offence charged upon him by the said information, I do therefore dismiss the said complaint or information. Given under my hand and seal, the — day of —

Provided nevertheless, that it shall be lawful for the said justice, where he shall see cause, to mitigate and lessen any such penalty as he shall think fit or reasonable (costs and charges of the officers and informers, as well in making the discovery as in prosecuting the same, being always allowed over and above such mitigation), and so as such mitigation do not reduce such penalties to less than one-fourth part of the penalty incurred over and above the said costs and charges, any thing herein contained to the contrary notwithstanding, 4 G. 4. c. 62. s. 46.

71. From and after the said 31st Jan. 1824, all pecuniary penalties imposed by this act, which shall be sued for, in respect of which any information shall be exhibited within six calendar months after the same shall have been incurred, shall be distributed and paid in the manner following; that is to say, one moiety thereof to H. M., and the other, together with full costs of suit incurred in suing, prosecuting, or informing for and in respect of such penalties, to the person who shall inform and sue or prosecute for the same as aforesaid; and it shall be lawful for any person whomsoever to exhibit any information or complaint before any justice of the peace or other magistrate whatsoever, within the time aforesaid, against any person for the recovery of any fine, penalty, or forfeiture incurred by virtue of this act, which shall not amount to the sum of 50*l.*, and all such penalties as shall not be sued for, or respecting which no information or informations shall have been exhibited within the time aforesaid, shall belong and be paid to H. M.; and that the moiety of every such penalty payable to H. M. as aforesaid, shall be paid into the hands of H. M.'s solicitor of stamps for the time being in Eng., Wa., or Scot. respectively, 4 G. 4. c. 62. s. 47.

72. From and after the passing of this act [10th July 1823], it shall be lawful for the lord high treasurer, or the commissioners of H. M.'s treasury of the U. K. of G. B. and Ire., or any three or more of them for the time being, and he or they is and are hereby empowered from

time to time, as it shall be necessary, either by himself or themselves, or by the said commissioners of stamps, or the major part of them, to let to farm the said several duties hereby granted, for and in respect of horses let for hire in the manner herein-before mentioned, to such person as shall be willing to farm the same, in separate divisions or districts, according to the regulations and in the manner herein-after mentioned: provided, that it shall not be lawful to let to farm the said duties, or any part thereof, at any one time, for a longer period than three years from the day on which any such letting to farm shall commence and take effect, 4 G. 4. c. 62. s. 48.

73. One month's notice at least shall be given by the said lord high treasurer or commissioners of the treasury, or the said commissioners of stamps, in the *London Gazette*, of the time and place of letting the said duties, specifying the divisions or districts within which it is intended to let to farm such duties, and also the place or office at which proposals for taking such duties, or any part thereof, shall be delivered, 4 G. 4. c. 62. s. 49.

74. No such proposals shall be proceeded upon, unless the same be signed by and in the proper names of the parties proposing to become bidders, and specifying the place of their abode, and shall have been delivered as aforesaid, at least three days previous to the day mentioned in the *London Gazette* for letting the said duties to farm, 4 G. 4. c. 62. s. 50.

75. The biddings for such duties shall be conducted under such regulations as shall be established for that purpose by the said lord high treasurer, or the commissioners of the treasury, or by the said commissioners of stamps; and the person who shall be the highest bidder shall be the farmer of the said duties, or such part thereof as shall be then put up to farm, for such term, not exceeding three years as aforesaid, as may be determined on, and as shall be inserted in the *London Gazette*; and shall forthwith execute a contract to be prepared in pursuance of this act, and give security by bond to H. M., with three or more securities, for payment to H. M., of the money or yearly rent so contracted for, the said money or rent to be paid into the hands of the receiver-general of stamp-duties, at the head office of stamps, in equal portions, by eight several payments in the year, on the days to be fixed and appointed before any such letting to farm as aforesaid, 4 G. 4. c. 62. s. 51.

76. It shall be lawful for the said commissioners of the treasury, or the said commissioners of stamps, to appoint the time for making a deposit of a sum of money, and the amount thereof, on account of the rent to be paid by the person who shall be the best bidder for, and be declared the farmer of any of the said duties hereby allowed to be farmed; and in case any such person shall fail to make such deposit at the time appointed, or shall fail to execute a proper contract in writing, and to give security for the payment of the rent and the due performance of such contract, in the manner directed by this act, within the time to be appointed for that purpose, then it shall be lawful for the said commissioners of the treasury, or any three or more of them, or the said commissioners of stamps, or the major part of them, authorized as aforesaid, to declare the bidding and contract of such person or persons null and void, and his or their deposit, if made, to be forfeited, and to cause the duties whereof he shall have been declared the farmer, to be again put up to be let to farm, pursuant to the directions of this act, and so from time to time as often as such failure shall be made, 4 G. 4. c. 62. s. 52.

77. In case any of the said duties to arise in any district shall not be let to farm at the time mentioned in such advertisement, for want of a sufficient bidding for such duties, it shall be lawful for the said lord high treasurer, or the said commissioners of H. M.'s treasury, or the said commissioners of stamps, to appoint such future day or days as they shall judge most proper, for letting the said duties to arise in such district respectively, in the manner and upon the like notice as herein-before directed, or to receive proposals for farming such duties, and to let the same to farm by private contract for any period of time not exceeding three years as aforesaid: provided, that no contract for letting the duties herein mentioned to farm shall be made with any person licensed to let horses for hire, nor to any one for his use, or on his behalf, or so as that he shall have any interest therein, or benefit therefrom, but that the same (if so made) shall be utterly null and void; and that if any such contract shall be assigned to any such person as aforesaid, or to any other person for his use, so that he shall have any interest therein or benefit therefrom, such assignment shall be also utterly null and void, 4 G. 4. c. 62. s. 53.

78. In order to prevent disputes concerning the said duties hereby granted, in cases where the same may be collected in one district, division, or collection, and the tickets may be delivered in another district, division, or collection; be it further enacted, That the said duties shall belong, and the tickets issued thereupon shall be delivered and accounted for, to the person respectively who shall be the farmer of the several duties arising within the district, division, or collection within which the inn house, or other place at which the person letting any

horse for hire shall be licensed as aforesaid is situated, and the keeper of every toll-gate or bar, at whose gate or bar such ticket shall be delivered, shall deliver the same to the farmer of the said duties arising within such district, division, or collection as aforesaid, at the time and in the manner such tickets are by this act directed to be delivered to the several collectors, 4 G. 4. c. 62. s. 54.

79. No person farming the said duties, or any part thereof, or appointed a collector thereof, shall in pursuance of such appointment be disqualified from voting at any election of members to serve in parliament, 4 G. 4. c. 62. s. 55.

80. It shall be lawful for the said commissioners of stamps or the major part of them, from time to time as occasion shall require, to depute and appoint not only the persons who shall become farmers or lessees of the said duties, and their executors, administrators, and assigns, but also any other person, at the request and upon the nomination and for the use of such farmers or lessees, or their executors, administrators or assigns, to be collectors of the said duties arising within the respective districts, with full powers to grant the necessary licences to persons within the respective districts, for letting out horses for hire in the manner aforesaid, and to take securities by bond from the person to be licensed, in the name of H. M., his heirs and successors, with such conditions as are required by this act, and to receive the stamp-office weekly accounts relating to the said duties herein-before directed and required to be delivered by persons letting horses for hire in the manner aforesaid within their respective districts, and the money due thereon, and to administer the oath or affirmation herein-before required to be made as to the truth of the accounts to be delivered by the persons licensed under this act, and generally to execute and do all other the powers, matters, and things touching the collecting, managing, and enforcing the payment of the said duties within and for their respective districts, which by this act are given to and authorized to be done by any collector of the said duties, 4 G. 4. c. 62. s. 56.

81. It shall be lawful for the person so farming the said duties, or any part thereof, with the consent of the said commissioners of stamps, to vary the mode of keeping the weekly account directed by this act to be kept by the several persons who may let out horses for hire, in such manner as they shall judge most convenient for keeping the said accounts; and such person so farming the said duties shall also be at liberty, by an indorsement or on the face of the tickets or certificates to be delivered by them to the several licensed persons as aforesaid, to add the name or number of the district which he shall so farm, 4 G. 4. c. 62. s. 57.

82. All securities, bonds, or obligations taken by the person farming the said duties, or any part thereof, from such postmasters, innkeepers, or other licensed persons under this act, shall be taken in the name of H. M., his heirs and successors, and shall and may be sued and prosecuted in the name of H. M., his heirs or successors, by and with the consent of H. M.'s attorney-general in *Eng.*, or the lord advocate in *Scot.*, 4 G. 4. c. 62. s. 58.

83. From and after the said 31st Jan. 1824, no person shall commence any action or suit in any of H. M.'s courts of record at *Westminster*, or elsewhere in *Eng.* or *Wa.*, or in the court of exchequer in *Scot.*, for the recovery of any penalty to be incurred under this act, until the expiration of 14 days after such person shall have delivered to the person incurring such penalty, or left for him at his dwelling-house, or usual or last place of abode, a printed or written notice of the intention of such person to apply to the commissioners of stamps in *G. B.*, for leave to commence such action or suit, and which notice shall state the offence committed, the day of committing the same, and the amount of each penalty intended to be recovered; and that it shall not be lawful for such person, at the trial of such action or suit, to give in evidence any matter or thing relating to any offence not specified and set forth in such notice, 4 G. 4. c. 62. s. 59.

84. Provided, that it shall not be lawful for any farmer of any of the said duties, or for any other person, to sue or prosecute for any such pecuniary penalty in any of H. M.'s courts of record at *Westminster*, or elsewhere in *Eng.* or *Wa.*, or in the court of exchequer in *Scot.*, without having first obtained the consent in writing of the said commissioners of stamps, or two of them, nor unless the suit or prosecution for the same shall be carried on by the solicitor of stamps, or of some other solicitor or attorney to be approved of by the said commissioners or any two of them; and it shall be lawful for the said commissioners, or any two of them, if they shall think fit, to order the proceedings to be stayed in any such suit or prosecution on payment of part only of any penalty incurred, with or without costs, or on payment only of the costs incurred in such prosecution, or any part thereof, as they shall judge proper and expedient, 4 G. 4. c. 62. s. 60.

85. All the powers, provisions, articles, clauses, penalties, forfeitures, and all other directions, matters, and things prescribed or appointed by this act, with relation to the said duties, or to the persons appointed or to be appointed to collect the same, shall be put in force and carried

into execution by the person farming the said duties, or any part thereof, in like manner as any collector hereby directed to be appointed, is authorized and empowered by this act to put in force and execute the same; and the person farming the said duties shall be entitled to the same privileges, and to have and use the like remedies for collecting and recovering the duties by this act imposed, in like manner as if the duties were sued for by or on behalf of H. M., and such duties had not been let to farm, 4 G. 4. c. 62. s. 61.

86. If any person shall at any time be sued, molested, or prosecuted for any thing by him done or executed in pursuance of this act, or of any clause, matter, or thing herein contained, such person may plead the general issue, and give the special matter in evidence for his defence; and if upon the trial a verdict shall pass for the defendant, or the plaintiff shall become nonsuited, then such defendant shall have treble costs awarded to him against such plaintiff, 4 G. 4. c. 62. s. 62.

87. If any person employed in the execution of this act, in relation to the said duties, shall wilfully refuse or neglect to do or perform any matter or thing by this act required or directed to be done or performed by such person, whereby any of H. M.'s subjects shall or may sustain any damage whatsoever, such person so offending shall be liable in any action to be founded on this statute, to answer to the party aggrieved all such damages, with full costs of suit, 4 G. 4. c. 62. s. 63.

88. From and after the said 31st Jan. 1824, it shall not be necessary, upon the trial or hearing of any information, action, suit, or other proceeding, to be commenced for the recovery of any of the said duties on horses, mares, and geldings hereby granted as aforesaid, which shall be let to farm in pursuance of this act or of any future act of parliament, or for the recovery of any penalty imposed by this act, or to be imposed by any future act, in anywise relating to the said duties, to produce the instrument whereby the commissioners of stamps in G. B., or any of them, shall be authorized by the said commissioners of H. M.'s treasury to let to farm the duties granted by this act, or any of them; or to produce the commission whereby the said commissioners of stamps shall be constituted and appointed such commissioners; or to prove that the persons executing any contract or agreement, or any commission, deputation, authority, or other instrument, are or act as commissioners of stamps; or to prove the execution of any contract or agreement whereby any of the said duties on horses, mares, and geldings shall be let to farm; or to prove the execution of any assignment of any such contract or agreement; or to prove the execution of any commission, deputation, or authority, whereby any person shall be appointed a collector of any of the said duties, by the said commissioners of stamps, or any of them; or to prove the signatures of the said commissioners of stamps to any consent to prosecute for any such pecuniary penalty as aforesaid: provided, that such contract, agreement, assignment, commission, deputation, or authority and consent to prosecute, shall be produced on the trial or hearing of any such information, action, suit, or proceeding; and it shall be made to appear that the person claiming or acting under such contract, agreement, assignment, commission, deputation, or authority, had in fact acted as the farmer or collector of the duties therein mentioned and described, or some of them; and that in every such case such proof shall be deemed and taken by the judges or justices before whom any such trial or hearing shall be had, to be good and legal evidence of such person being the farmer or collector of the duties mentioned and described in such contract, agreement, assignment, commission, deputation, authority or other instrument, unless by other evidence the contrary shall be made to appear, 4 G. 4. c. 62. s. 64.

89. All the monies to arise from the duties granted by this act shall be paid into the hands of the receiver-general of the stamp-duties in G. B., who shall from time to time pay the same into the bank of Eng., for safe custody, pursuant to the act [46 G. 3. c. 76. and 59 G. 3. c. 59. Stat. Dig. tit. STAMPS, pl. 57.] in that case made and provided, and shall thereafter pay the same (after deducting the charges of raising, collecting, and accounting for the same, and all other charges first payable thereout), into the receipt of H. M.'s exchequer at Westminster, in one sum, at such times and in such manner as the present stamp-duties are by the laws in force directed to be paid; and the monies so paid into the said receipt shall be carried to and made part of the consolidated fund of the U. K. of G. B. and Ire., 4 G. 4. c. 62. s. 65.

Stage Coaches.

90. To reduce the rate of duties payable in respect of certain carriages used and employed for the purpose of conveying passengers for hire, and to make regulations and provisions relating to stage-coaches and the duties thereon, 3 G. 4. c. 95.

91. Whereas it is expedient, in certain cases, to reduce the rate of duties now payable in respect of certain carriages, and to regulate the rate of the said duties in respect of certain other carriages used or em-

ployed for the purpose of conveying passengers for hire, granted and imposed by 55 G. 3. c. 185., intituled, *An Act for repealing the stamp-office duties on advertisements, almanacks, newspapers, gold and silver plate, stage-coaches, and licences for keeping stage-coaches, now payable in G. B., and for granting new duties in lieu thereof*; and it is also expedient to carry into effect the power given to the commissioners of stamps to require, that instead of the inscription mentioned in 50 G. 3. c. 48. [Stat. Dig. tit. STAGE-COACHES, pl. 1.], intituled, *An Act to repeal three acts, made in the 28th, 30th, and 46th years of His present Majesty, for limiting the number of persons to be carried on the outside of stage-coaches or other carriages, and to enact other regulations for carrying the objects of the said acts into effect*, a plate made of brass or other metal should be fixed upon the side of every coach or carriage, as far as the said last-mentioned act directs a distinct number to be put upon such plate; and it is also expedient that further provisions should be made for better securing and facilitating the recovery of the duties upon stage-coaches and other carriages used for the purpose of conveying passengers for hire: be it therefore enacted, That from and after the 1st Sept. 1822, the duties mentioned in the schedule annexed to the 55 G. 3. c. 185., and thereby made payable upon stage-coaches or other carriages with two or more wheels, which should be employed as public stage-coaches or carriages for conveying passengers for hire to or to and from any place or places in G. B., as far as the same relates to carriages or vehicles drawn by one or two horses, and not being upon or having the aid or assistance of any spring, or (if drawn by one horse) being upon or having the aid or assistance of any spring, or if drawn by two or more horses, and such carriages or vehicles shall be made for the accommodation of one description of passengers only, not distinguishing between inside and outside passengers, and shall be upon or have the aid or assistance of any spring, shall cease, determine, and be repealed; save and except as to so much and such part of the said duties as shall have become due or payable before or upon the said 1st Sept., and shall remain in arrear or unpaid afterwards, 5 G. 4. c. 95. s. 1.

92. From and after the said 1st Sept., in lieu of so much of the said duties hereby repealed, there shall be raised, levied, collected, and paid unto and for the use of H. M. in and throughout the whole of G. B., the rates or sums of money following; that is to say, for and in respect of any carriage or vehicle with two or more wheels, not being upon or not having the aid or assistance of any spring of any kind whatsoever, and which shall be kept, used, employed, or let out for the purpose of conveying passengers for hire, to or from different places in G. B., and drawn by one horse only, for every mile that any such carriage or vehicle shall be licensed to travel, the sum of 1d.; any such carriage or vehicle as above described, drawn by two horses only, for every mile that such carriage or vehicle shall be licensed to travel, the sum of 2d.; any carriage or vehicle drawn by one horse only, being upon or having the aid or assistance of any spring of any kind whatsoever, which shall be kept, used, employed, or let out for the purpose of conveying passengers for hire as aforesaid, for every mile that any such carriage or vehicle shall be licensed to travel, the sum of 1½d.; any carriage or vehicle drawn by two horses only, being upon or having the aid or assistance of any spring of any kind whatsoever, but which shall be made for the accommodation of one description of passengers only, not distinguishing between inside and outside passengers, and which shall be kept, used, employed, or let out for the purpose of conveying passengers for hire as aforesaid, for every mile that such carriage or vehicle shall be licensed to travel, the sum of 3d.; any such carriage or vehicle as last aforesaid, drawn by three or more horses, for every mile that such carriage or vehicle shall be licensed to travel, the sum of 4½d., 5 G. 4. c. 95. s. 2.

93. Immediately from and after the passing of this act [30th July, 1822.], the commissioners of stamps in G. B., or the major part of them, are hereby required to provide proper and sufficient plates, at the expence of the person applying for a licence to keep, use, employ, or let out any carriage or vehicle for the purpose of conveying passengers for hire to and from any place in G. B., each plate or pair of plates having thereupon a distinct number, to be named by the said commissioners, for the purpose of being fixed or placed upon the door, or if more than one, upon each door, or upon some other part of every carriage or vehicle used, employed, or let out for the purpose of carrying and conveying passengers for hire as aforesaid (except mail-coaches and hackney-coaches duly licensed by the commissioners of hackney-coaches, or under any local act relating to hackney-coaches, and not licensed by the said commissioners of stamps); and to alter and renew such plate or plates from time to time, as the said commissioners of stamps shall think necessary, or as occasion shall require; and the said commissioners or any other persons authorized so to do, granting any such licence as aforesaid, are hereby required and directed to deliver to the person applying for such licence, at the time of granting the same, or at any other time, as occasion may require, such plate or plates to be placed or fixed upon every such carriage or vehicle as aforesaid, and to insert in the said licence, the number of the plate or plates so delivered in respect of such carriage or

vehicle in respect of which such licence shall be granted, 3 G. 4. c. 95. s. 3.

94. From and after the 31st Aug. 1822, it shall not be lawful for any person to use, employ, or let out, or to permit or suffer to be used, employed, or let out, any carriage or vehicle for the purpose of conveying passengers for hire as aforesaid, before fixing or placing on the door, or if more than one, upon each door, or if there be no door, upon one of the pannels on each side of such carriage or vehicle, or if there be no pannels, then upon some conspicuous part of such carriage or vehicle, one of the plates hereby required to be fixed and placed thereupon; and in case such plate shall at any time be broken or become illegible, the person to whom any such licence as aforesaid shall be granted, shall, within three days after such plate shall be broken or become illegible, apply to the said commissioners of stamps, or to the person authorized to grant such licence, for a new plate or plates; and on delivery to the said commissioners, or to the person authorized to grant such licence, of the old plate or plates, or part thereof, it shall be lawful for the said commissioners of stamps, and they are hereby authorized to deliver a new plate or plates of the same, or any other number, to the person whose plate or plates shall have been broken or become illegible as aforesaid; which new plate or plates such person is hereby required, as soon as conveniently may be after the receipt thereof, to affix or place on such carriage or vehicle, as by this act is directed, 3 G. 4. c. 95. s. 4.

95. If any person shall, from and after the said 31st Aug., keep, use, employ, or let out, or permit or suffer to be used, employed, or let out, any carriage or vehicle for the purpose of conveying any passenger for hire to or from different places in G. B., not having the plate or plates fixed or placed thereupon as hereby directed, or having any plate or plates fixed or placed on such carriage or vehicle as aforesaid, of a different or other number than that mentioned in the licence granted to such person, or having any broken or illegible plate or plates, such person so offending in any or either of the said cases, shall forfeit for every day on which such carriage or vehicle shall be so used, employed, or let out for hire, the sum of 20*l.*; provided nevertheless that nothing herein contained shall charge any person with the said penalty of 20*l.*, to which he or she may become subject, between the time of any such plate or plates having been broken or become illegible, and the time hereby allowed for affixing or placing a new plate or plates on such carriage or vehicle as aforesaid, in the place of any plate or plates that may have become broken or illegible, 3 G. 4. c. 95. s. 5.

96. Every carriage or vehicle used, employed, or let out for the purpose of conveying passengers for hire to or from any place in G. B., and travelling at the rate of three or more miles in the hour, shall, without regard to the number of wheels or to the number of horses by which the same may be drawn, or to the number of passengers which the same shall be able or fitted to contain or carry, or to its being an open or close carriage, be deemed and taken to be a stage-coach or carriage within the meaning of this act, or any former act of parliament relating to the duties on carriages or vehicles kept, used and employed, or let out for the purpose of conveying passengers for hire as aforesaid; provided the passenger or passengers to be carried or conveyed by any such carriage or vehicle, shall be charged or shall pay separate and distinct fares, or be charged at the rate of separate and distinct fares, for his, her, or their place or seat therein, or conveyance thereby respectively, 3 G. 4. c. 95. s. 6.

97. In all actions, bills, complaints, informations, or proceedings to be commenced, prosecuted, entered, or filed in any of H. M.'s courts of G. B., or before any justice of the peace or other magistrate whatsoever in G. B., against any person for the recovery of any duty, fine, penalty, or forfeiture incurred under or by force of this act, or any former act of parliament relating to the duties on carriages or vehicles, kept, used, employed, or let for the purpose of conveying passengers for hire as aforesaid, if evidence shall be offered and given that the carriage or vehicle in respect of which, or in any manner relating to which any such action, bill, complaint, information, or proceeding shall be commenced, prosecuted, entered, or filed, was seen travelling or going upon any turnpike road or public highway in G. B., such carriage or vehicle having fixed or placed thereupon a plate or plates as required by this act to be fixed or placed upon carriages or vehicles used, employed, or let out for the purpose of conveying passengers for hire, or having painted or marked thereupon any of the particulars required by any former act of parliament relating to such carriages or vehicles, such carriages or vehicles shall (unless the contrary be proved) be deemed and taken to be a carriage or vehicle kept, used, employed, and let out for the purpose of conveying passengers for hire to or from different places in G. B.; and that in all such actions, bills, complaints, informations, or proceedings, the person described in the licence granted in respect of such carriage or vehicle shall (unless the contrary be proved) be considered as the person to whom such carriage or vehicle doth belong, and shall be liable to the duty or penalties imposed by this act, or any former act

of parliament relating to the duties on such carriages or vehicles as aforesaid, 3 G. 4. c. 95. s. 7.

98. It shall be lawful for any person duly authorized to examine the plates by this act directed to be fixed and placed upon carriages or vehicles used or employed for the purpose of conveying passengers for hire, from time to time to enter into and remain in any toll-house or other place, at the gate or bar of which any toll is by law payable, for the purpose of examining such plates, 3 G. 4. c. 95. s. 8.

99. If any toll-collector or toll-gate-keeper, or any other person, shall refuse to permit any person authorized to examine the plates directed to be fixed and placed upon carriages or vehicles, used, employed, or let out for the purpose of conveying passengers for hire, from time to time to enter into and remain in any toll-house or other place, at the bar or gate of which any toll is by law payable; or shall obstruct or hinder or molest such person in entering into and remaining in such toll-house or place as aforesaid, for the purpose of examining such plates; or if any toll-collector or toll-gate-keeper, or any other person shall in any way hinder, molest, interrupt, or disturb any such person authorized to examine such plates, in the reasonable use of such toll-house or other place as aforesaid, for the purpose aforesaid, every such toll-collector or toll-gate-keeper, and every person aiding and assisting him, and every person offending in any of the cases aforesaid, shall for every such offence forfeit the sum of 20*l.*, 3 G. 4. c. 95. s. 9.

100. And whereas it is expedient that all and every the carriages or vehicles aforesaid, for or in respect or on account whereof the duty which shall become due and payable by virtue of this act, and the 55 G. 3. c. 185. and the schedule thereto; and also all and every horse, harness, and other articles and things used and employed for the purpose of drawing such carriages or vehicles, should be made subject and liable to the duties in arrear and owing from time to time, by the person to whom any such licence so herein mentioned shall be granted; be it therefore enacted, That from and after the said 31st day of Aug., every carriage or vehicle for or in respect or on account whereof any duty is imposed, or which shall become due and payable under this act, or the 55 G. 3. c. 185. and the schedule thereto, and all and every the horse and harness, and all other articles and things used or employed for the purpose of drawing such carriage or vehicle as aforesaid, in the custody and possession of the person or persons, or any of them, to whom any such licence shall have been granted as aforesaid, or in the custody or possession of any other person, to the use and for the account of or in trust for such person or persons, to whom any such licence shall have been granted as aforesaid, or any of them, shall be and the same are hereby made subject and liable to, and chargeable with all the duties in arrear and owing, or which shall become due and payable from time to time from or by such person or persons, for or in respect of such carriage or vehicle kept, used, or employed by him, her, or them respectively, for the purpose of conveying passengers for hire as aforesaid, 3 G. 4. c. 95. s. 10.

101. And whereas by the 50 G. 3. c. 48. s. 11. [Stat. Dig. tit. STAGE-COACHES, pl. 11.] it was (amongst other things) enacted, that in case the driver of any such coach, mail-coach, or other carriage, as therein described, or the person acting as guard, should, by intoxication, or by negligence or other misconduct (unavoidable accidents always excepted), endanger the safety of the passengers in their lives, their limbs, or their property, then and in every such case the driver or guard (as the case may be) so offending, and being convicted thereof by his own confession, the view of a justice (in any case applicable thereto), or the oath of one credible witness, before any justice or other magistrate as therein mentioned, should forfeit and pay a sum not less than 5*l.* nor more than 10*l.* for every such offence; and in case of non-payment, every such justice or other magistrate above mentioned, were thereby authorized to commit such offender to the common gaol or house of correction for the county, riding, city, town, division, or place where such offence should have been committed, there to remain without bail or mainprize for any time not exceeding six months nor less than three months, at the discretion of the justice or other magistrate above mentioned, by or before whom any such offender should be convicted: and whereas it is expedient to extend the powers given by the said recited act; be it therefore enacted, That if the coachman, guard, or other person having the care of any such coach, mail-coach, or other carriage or vehicle as aforesaid, or employed in, upon, or about the same, shall, by intoxication, or wanton and furious driving, or any other wilful misconduct on the public highway, injure or endanger any person whatever in his or her life, or limbs, or property, every such coachman or person as aforesaid so offending, shall for every such offence be liable to the same or the like fine or penalty, to be levied, mitigated, and applied in the same manner as in and by the said recited act was mentioned and provided with respect to the offences therein specified; provided that nothing in this act contained shall extend to or be construed to extend to affect hackney-coaches or chariots, or their owners or drivers respectively, duly licensed by the commissioners of hackney-coaches, 3 G. 4. c. 95. s. 11.

102. And whereas in cases where such carriages or other vehicles are employed for the conveyance of passengers and goods between places lying distant from each other, it usually happens that the property in such carriages or other vehicles is in several persons, who reside at different points of the line of journey performed by such carriage or other vehicle, and the residences of some of whom is at a great distance from some of the places through which such carriage or other vehicle passes, or at which it arrives, and by reason of such distance such last-mentioned proprietors have not the means of exercising the same superintendence and controul over the management of such carriage or other vehicle, in distant parts of its journey, as such of the proprietors as have their residence nearer thereto: and whereas it is expedient, that in all cases of informations and convictions for offences against this act or any former act, such information and conviction should be had and laid against such one or more of the owner or owners, proprietor or proprietors of such carriages or other vehicles, as are resident nearest to the place where the offence shall be committed; be it therefore enacted, That from and after the passing of this act [30th July 1822], all summonses, informations, and convictions, which shall be issued, laid, or prosecuted against any owner or proprietor of any coach, carriage, or other vehicle, under this act, or any former act, for the recovery of any fine or penalty hereby or thereby imposed, shall in all cases in which there shall be more than one such owner or proprietor; and when such owners or proprietors shall reside in different counties (the residence of such owner or proprietor being ascertained by the entry at the stamp-office, or other place from which the licence to such owner or proprietor was issued), be so issued, laid, or prosecuted against such one or more of the said owners or proprietors as shall reside in the county or place in which, or nearest to which the offence proceeded against shall have been or shall be alledged to have been committed; and that in all such cases as aforesaid, this present act shall and may be allowed and pleaded in bar to the conviction of any such owner or proprietor as aforesaid, other than and except of such owner or proprietor, whose residence shall be in the county or place in which, or nearest to which, the offence so proceeded against shall have been or shall be alledged to have been committed; any thing herein or in any former act contained to the contrary thereof notwithstanding, 3 G. 4. c. 95. s. 12.

103. And whereas difficulties have arisen in proceedings for penalties under 1 G. 1. c. 57., intituled, *An Act for better regulating hackney-coaches, carts, drays, and waggons, within the cities of London and Westminster, and the weekly bills of mortality; and for preventing mischiefs occasioned by the drivers riding upon such carts, drays, cars, and waggons*; by reason of the person giving information being unable to prove the payment of the fare paid or to be paid by any person carried in or upon any coach or other carriage used for the purpose of conveying passengers for hire; be it further enacted, That from and after the passing of this act [30th July 1822], in all cases where any coach or other carriage used for the purpose of conveying passengers for hire, shall take up any passenger after such coach or other carriage shall have entered the paved streets of London, Westminster, or the borough of Southwark, and shall carry and convey such passenger along the said paved streets, or any of them, the proprietor of such coach or carriage, or the driver thereof, shall be deemed and taken to be a person standing, driving, and plying for hire within the meaning of that act, unless the contrary shall be shown, 3 G. 4. c. 95. s. 13.

104. And whereas all licences which before the passing of this act may have been granted, authorizing any person to keep or employ any carriage or vehicle, to be employed as a public stage-coach or carriage for conveying passengers for hire to and from different places in G. B., and which at the time of passing this act will be in force, will, under 53 G. 3. c. 108. [Stat. Dig. tit. STAMPS, pl. 858.], intituled, *An Act for altering, explaining, and amending an act of the 48th year of H. M.'s reign, for granting stamp-duties in G. B., with regard to the duties on re-issuable promissory notes, and on conveyances on the sale and mortgage of property; for better enabling the commissioners of stamps to give relief in cases of spoiled stamps, and to remit penalties for exempting certain instruments from stamp-duty; and for better securing the duties on stage-coaches*, expire on the 31st July in the present year: and whereas it is expedient to keep all such licences in force for the space of one calendar month beyond that day; be it therefore enacted, That all such licences shall be and remain in full force for one calendar month next after the said 31st July; and that all licences to be granted at any time after the passing of this act, and before the 1st Aug. 1823, shall terminate on the 31st July in that year, 3 G. 4. c. 95. s. 14.

105. All the powers, provisions, clauses, regulations, and directions, fines, forfeitures, pains, and penalties contained in and imposed by the several acts of parliament, or any of them, relating to the duties upon stage-coaches, or other carriages used for the purpose of conveying passengers for hire, shall be of full force and effect with respect to the duties hereby granted, as far as the same are or shall be applicable, in all cases not hereby expressly provided for; and shall be observed, ap-

plied, enforced, and put in execution for the raising, levying, collecting and securing the duties on carriages or vehicles kept, used, employed, or let out for hire, for the purpose of conveying passengers as aforesaid, granted by the 55 G. 3. c. 185. and the schedules thereto, and the said duties hereby granted, so far as the said acts or any of them shall not be repealed or be superseded by, and shall be consistent with the express provisions of this act, as fully and effectually as if the same had been herein repeated and specially enacted with reference to the said duties granted by the said act of 55 G. 3. c. 185., and the said schedule thereto, and also to the duties hereby granted, 3 G. 4. c. 95. s. 15.

STATUTES.

1. To enable trustees or commissioners under acts of parliament to meet and carry such acts into execution, although they may not have met according to the direction of such acts, 4 G. 4. c. 35.

2. Whereas it has happened that the trustees or commissioners appointed to carry into execution an act or acts of parliament have not been able to meet on the day appointed by such act or acts for carrying the same into execution by reason that the day appointed for such meeting has been antecedent to the passing of such act or acts, whereby the interest of such act or acts hath been or may be frustrated: for remedy whereof, be it enacted, That in all cases where the trustees or commissioners appointed by any act or acts of parliament have not been or shall not be able to meet on the day appointed for their first meeting by any such act or acts, by reason that the day appointed for such meeting has been or shall be antecedent to the passing of such act or acts, it shall be lawful for three or more of the said trustees or commissioners appointed to execute such act or acts to meet at the place appointed by such act or acts for the first meeting of such trustees or commissioners on the 14th day after the passing of such act or acts, or of this act; and every such meeting shall be as good, valid, and effectual as if such trustees or commissioners had met in pursuance of the act or acts of parliament which they are appointed to carry into execution, 4 G. 4. c. 35.

3. To repeal divers ancient statutes and parts of statutes so far as they relate to the importation and exportation of goods and merchandize from and to foreign countries, 3 G. 4. c. 41.

4. Whereas several statutes and acts of parliament or certain parts thereof respectively, relating to the importation and exportation of goods and merchandize from foreign countries, and to the regulations and restrictions concerning such importation and exportation made and passed at various times before the 12th year of the reign of King Charles the Second, remain unrepealed, although the same are inconsistent with or rendered unnecessary by the acts made since that time, and now in force for the encouraging and increasing of shipping and navigation; and doubts may be entertained how far the said statutes or acts, or some parts thereof, may or may not be or remain in force or effect; and for the preventing of any inconvenience which may arise from such doubts, it is expedient that the said statutes and acts, or so much thereof as relate to the importation and exportation of such goods, and to the regulations and restrictions concerning the same, should be expressly repealed and declared to be no longer in force or effect; be it therefore enacted, That from and after the passing of this act [24th June 1822], so much and such parts of the several statutes herein-after mentioned relating to the importation of goods, or to commerce or navigation, as are herein-after specified, shall be repealed; that is to say,

20 Ed. 1. st. 4. c. 1. s. 1. & in part ss. 3, 4.

[Stat. Dig. tit. COIN, pl. 2—4.]

5. So much of a statute of uncertain date concerning money, whereby it is forbidden on the King's behalf, that none bring money into the country but only for his expences, (*Stat. de Moneta temp. incerti. vulgo 20 E. 1.*) and also, so much of the said statute as relates to any money so brought.

9 Ed. 3. st. 1. c. 1. [Stat. Dig. tit. MERCHANT, pl. 5, 6.]

6. Also, so much of the statute made in the ninth year of the reign of King Edward the Third, whereby it is ordained and established, "that all merchant strangers and denizens, and all other and every of them, of what estate or condition soever they be, that shall buy or sell corn, wines, avoirdupois, flesh, fish, and all other livings and victuals, wools, cloths, wares, merchandizes, and all other things vendible, from whence-soever they come, by foreigners or denizens, at what place soever it be, city, borough, town, port of the sea, fair, market, or elsewhere within the realm, within franchise or without, may freely without interruption,

sell them to what persons it shall please them, as well to foreigners as to denizens, except always the enemies of our Lord the King and his realm;—and also, so much of the said statute whereby any damages are given, or any penalty or punishment, or loss of franchise is imposed or inflicted, for any disturbance to any merchants, contrary to the said statute; and also, so much of the said statute whereby it is ordained and established, “that no alien or denizen shall be troubled, but that he may freely buy such things aforesaid in the said places, and carry them where it pleaseth him.”

11 *Ed. 3. c. 2.* and 11 *Ed. 3. c. 3.*

[*Stat. Dig. tit. WOOL, &c. (STAT. rep.) pl. 2.*]

7. Also, so much of a statute made in the 11th year of the reign of the said King *Edward the Third*, whereby it is accorded, “that no man or woman of *Eng., Ire., Wa., or Scot.,* (the King, Queen, and their children only except,) shall wear no cloth, other than is made in *Eng., Ire., Wa., or Scot.,* upon pain of forfeiture of the same cloth, and further to be punished at the King’s will;”—and also, so much of the said statute, whereby it is accorded and established, “that no merchant, foreign nor denizen, nor none other, shall bring or cause to be brought privily or openly, by himself nor by other, into the lands of *Eng., Ire., Wa., and Scot.,* within the King’s power, any cloths made in any other places than in the same, upon the forfeiture of the said cloths, and further to be punished at the King’s will.”

14 *Ed. 3. st. 2. c. 2.* [*Stat. Dig. tit. MERCHANT, pl. 3.*]

8. Also, so much of a statute made in the 14th year of the reign of the said King *Edward the Third*, whereby it is granted or provided, “that all merchants, denizens, and foreigners, except those which be of the King’s enmity, may without let safely come into the realm of *Eng.* with their goods and merchandize.”

18 *Ed. 3. st. 2. c. 3.* [*Stat. Dig. tit. WOOL, &c. pl. 2.*]

9. Also, so much of the statute made in the 18th year of the reign of the said King *Edward the Third*, whereby it is granted or provided, “that the sea be open to all manner of merchants, to pass with their merchandize where it shall please them.”

25 *Ed. 3. st. 3. (vulgo 4.) c. 2.* [*Stat. Dig. tit. MERCHANT, pl. 9.*]

10. Also, so much of a statute made in the 25th year of the reign of the said King *Edward the Third*, whereby it is accorded, “that the said herein-before recited statute, made in the ninth year of the said King *Edward the Third*, in all points and articles contained in the same, be holden, kept, and maintained; and that if any statute, charter, letters patent, proclamation or commandment, usage, allowance, or judgment be made to the contrary, the same shall be openly repealed, void, and holden for none; and moreover, that every merchant or other, of what condition he be, as well alien as denizen, that bring wines, flesh, fish, or other victuals, cloths, woollfells, avoirdupois, or any other manner of merchandizes or chaffer, to the city of *London*, or other cities, boroughs, or good towns of *Eng.,* or ports of the sea, may freely and without challenge or impeachment of any, sell them in gross or at retail, or by parcels, at his will, to all manner of people that will buy the same, notwithstanding any franchises, grants, or custom used, or any other thing done to the contrary.”

27 *Ed. 3. st. 1. c. 6.* [*Stat. Dig. tit. WINES, pl. 5.*]

11. Also, so much of a statute made in the 27th year of the reign of the said King *Edward the Third*, whereby it is ordained and established, “that all merchants, *Gascoins*, and other strangers, may safely bring their wines into *Eng.,* to what port that shall please them, and thereof make their profits.”

27 *Ed. 3. st. 1. c. 5.* and 27 *Ed. 3. st. 1. c. 7.* [*Stat. Dig. tit. WINES, pl. 4.—7.*]

12. Also, so much of the said last-mentioned statute, as relates to the buying, or engrossing, or forestalling of wines in *Gascoigne*, and as imposes any penalty or forfeiture in respect of such buying, engrossing, or forestalling.

27 *Ed. 3. st. 1. c. 8.* [*Stat. Dig. tit. GAUGING, pl. 1.*]

13. Also, so much of the said last-mentioned statute, as relates to gauging of wines by the King’s gauger, or his deputy.

27 *Ed. 3. st. 2. c. 2.* [*Stat. Dig. tit. MERCHANT, pl. 15, 16.*]

14. Also, so much of the statute or ordinance of the staples made in the 27th year of the reign of the said King *Edward the Third*, whereby it is ordained, established, or provided, “that all merchant strangers which be not of the King’s enmity, of what land or nation that they be, may safely and surely come and dwell in the realm of *Eng.* and land of *Wa.,* where they will, and from thence return with their ships, wares, and all manner of merchandizes, and freely sell their merchandizes at the staple and elsewhere within the same realm and lands, to any that will buy them.”

28 *Ed. 3. c. 13.* [*Stat. Dig. tit. MERCHANT, pl. 21.*]

15. Also, so much of a statute made in the 28th year of the reign of the said King *Edward the Third*, whereby it is accorded and established, “that no manner of ship, which is fraught toward *Eng.* or elsewhere, be compelled to come to any port of *Eng.,* nor there to abide, against

the will of the masters and mariners of the same, or of the merchants whose the goods be; and if such ships come of their own good will, or be driven by tempests, or other misfortune or mischief, to any port in *Eng.,* and the masters, mariners, or merchants of the same ships will sell or deliver part of their merchandizes with their good will, it shall be lawful for every man to buy such merchandize freely without impeachment, in the port where such ships shall come, albeit the said merchandizes be not put to land to sell; so that the masters, mariners, and merchants, after that they have sold that which pleaseth them of their said goods, and paid thereof the customs, may freely depart and go with their ships and all the remnant of their goods whither it shall please them, without custom thereof to be paid;” and also, so much of the said last-mentioned statute as imposes any forfeiture upon disturbing or hindering such merchants.

31 *Ed. 3. st. 1. c. 5.*

[*Stat. Dig. tit. GAUGING, pl. 2.;* see 5 *G. 4. c. 74. s. 23.*]

16. Also, so much of a statute made in the 31st year of the reign of the said King *Edward the Third*, in the parliament holden at *Westminster*, on *Monday* next after *Easter* week, as relates to the contents of tuns of wine and gauging thereof.

37 *Ed. 3. c. 16.* [*Stat. Dig. tit. WINES, pl. 4.*]

17. Also, so much of a statute made in the 37th year of the reign of the said King *Edward the Third*, whereby the statutes of wines of the 27th year of the said King is confirmed, or altered or amended.

38 *Ed. 3. st. 1. c. 2.* [*Stat. Dig. tit. MERCHANT, pl. 22.*]

18. Also, so much of a statute made in the 38th year of the reign of the said King *Edward the Third*, whereby it was ordained that all merchants, as well aliens and denizens, may sell or buy all manner of merchandizes, and freely carry them out of the realm.

38 *Ed. 3. st. 1. c. 8.*

19. Also, so much of the said last-mentioned statute, whereby it is accorded and assented, “that no owner shall lose his ship for a small thing put within the ship not customed, without his knowledge or privacy.”

38 *Ed. 3. st. 1. c. 10.* [*Stat. Dig. tit. WINES, pl. 4.*]

20. Also, so much of the said last-mentioned statute, whereby it is assented, “that the statutes and ordinances made as to the merchandize of wines, and of those that pass the sea to fetch wines in *Gascoigne*, shall stand in force.”

38 *Ed. 3. st. 1. c. 11.* [*Stat. Dig. tit. WINES, pl. 8.*]

21. Also, so much of the said last-mentioned statute, whereby it is granted or provided, “that the *Gascoignes*, and all other aliens, may come into the realm with their wines, and freely sell them without any disturbance or impeachment;” and whereby it is saved to the King, “that it may be lawful for him, whensoever it shall seem meet to him and his good council, to ordain on this article in the manner as best shall seem to him, for the profit of him and his commons.”

42 *Ed. 3. c. 8.*

22. Also, so much of a statute made in the 42d year of the reign of the said King *Edward the Third*, whereby it is assented and accorded, “that no *Englishman* shall pass into *Gascoigne* to seek wines there, but they shall be brought into *Eng.* by the *Gascoignes* and other aliens; and that all the ships of *Eng.* and of *Gascoigne* that cometh into *Gascoigne*, shall be first freighted to bring wines into *Eng.* before all other.”

43 *Ed. 3. c. 1.*

23. Also, so much of a statute made in the 43d year of the reign of the said King *Edward the Third*, whereby it is ordained, “that all merchants, aliens and denizens, may freely go through *Eng., Ire., and Wa.,* and buy and sell wools, woollfells, and leather, and all other merchandizes at their will, without impeachment or disturbance.”

43 *Ed. 3. c. 2.*

24. Also, so much of the said statute made in the 43d year of the reign of the said King *Edward the Third*, as relates to *Englishmen, Irishmen, or Welshmen*, passing into *Gascoigne* to fetch wines there.

2 *R. 2. st. 1. c. 1.* [*Stat. Dig. tit. MERCHANT, pl. 12—14.*]

25. Also, so much of a statute made at *Gloucester*, in the second year of the reign of King *Richard the Second*, whereby it is ordained and established, “that all merchants aliens, of what realms, countries, or seignories that they come, which be of the amity of the King and of this realm, may safely and surely come within the realm of *Eng.,* and in all cities, boroughs, ports of the sea, fairs, markets, or other places within the realm, within franchise and without, may abide with their goods and all merchandizes, under the safeguard and protection of the King, as long as shall please them, without disturbance or denying of any person; and that as well those merchants aliens as denizens whatsoever, and every of them, that will buy and sell corn, flesh, fish, and all manner of other victuals and sustenance, and also all manner of spiceries, fruit, tea, and all manner of small wares, as silk, gold wire or silver wire, coverchiefs and other such small ware, may freely, and without denying or any manner of disturbance, as well in the city of *London* as in all

cities, boroughs, ports of the sea, fairs, markets, and other places within the realm, sell and buy in gross or by parcels, to whom and of whom they please, denizens or foreign, except the King's enemies; and except also, that all manner of wines shall be sold by the said strangers in gross, as in the said statute is mentioned; and as to all other great wares, as cloth of gold and silver, silk, sendal, napery, linen cloth, canvas, and other such great wares, and also all manner of other great merchandizes not above expressed, whatsoever they be, as well aliens as denizens, as well in the city of *London* as in other cities, boroughs, ports of the sea, towns, fairs, markets, and elsewhere through the said realm, within franchise and without, may sell the same in gross only, to every person foreign or denizen that will buy the same, freely and without denying (except as in the said statute is excepted); notwithstanding any statutes, ordinances, charters, judgments, allowances, customs, and usages made or suffered to the contrary; which charters and franchises (if any there be,) shall be utterly repealed, as a thing made, used, or granted against the common profit in oppression of the people;" also, so much of the said last-mentioned statute, whereby any damages are given, or any penalty or punishment, or loss of franchise is imposed or inflicted for any disturbance, to any merchant, contrary to the said provisions of the said statute.

2 R. 2. st. 1. c. 3. [Stat. Dig. tit. MERCHANT, pl. 25.]

26. Also, so much of the said last-mentioned statutes, whereby it is ordained or assented, "that all merchants of *Genoa*, *Venice*, *Catalonia*, *Aragon*, and of other realms, lands, and countries towards the west, being of the King's amity, that will bring to *Hampton*, or elsewhere within the realm, carracks, ships, gallies, or other vessels charged or discharged, may there freely sell their merchandizes to whom they please, and there recharge their vessels with wools, leather, woollfells, lead, tin, and other merchandizes of the staple, and freely carry them into their country towards the west, under the regulations in the said statute mentioned and contained."

4 R. 2. c. 1. [Stat. Dig. tit. GAUGING, pl. 3.], and repealed also by 5 G. 4. c. 74. s. 23.

27. Also, so much of a statute made in the fourth year of the reign of the said King *Richard* the Second, as relates to the gauging of all vessels of wine, honey, oil, and other liquors brought into the realm.

5 R. 2. st. 1. c. 3.

28. Also, so much of a statute made in the fifth year of the reign of the said King *Richard* the Second, in a parliament holden on the morrow after *All Souls*, whereby it is assented and accorded, "that none of the King's liege people do ship any merchandize in going out or coming within the realm of *Eng.*, in any port or any where, but only in ships of the King's ligeance; and that every person of the said ligeance, which do ship and merchandize in any other ships or vessels upon the sea than of the said ligeance, shall forfeit to the King all his merchandizes shipped in other vessels, or the value of the same."

5 R. 2. st. 2. c. 1. [Stat. Dig. tit. MERCHANT, pl. 26.]

29. Also, so much of a statute made in the said fifth year of the reign of the said King *Richard* the Second, in the parliament holden on the morrow of *Saint John Port Latin*, whereby it is accorded and assented, "that all manner of merchants strangers, of whatsoever nation or country they may be, being of the amity of the King and of his realm, shall be welcome, and freely may come within the realm of *Eng.* and elsewhere within the King's power, as well within franchise as without, and there to be conversant to merchandize, and tarry as long as them liketh, as those whom our said Lord the King taketh into his protection and safeguard, with their goods, merchandizes, and all manner familiars; and that they and every of them, with their merchandizes and all manner of goods, be suffered to go and come without disturbance or impeachment of any."

6 R. 2. st. 1. c. 8.

30. Also, so much of a statute made in the sixth year of the reign of the said King *Richard* the Second, whereby it is ordained and granted, "that the statute made in the fifth year of the said King *Richard* the Second (and herein-before recited), that none of the King's liege people do ship any merchandize but only in ships of the King's ligeance, only have place so long as ships of the said ligeance, in the parts where the said merchants shall happen to dwell, be found able and sufficient; so that then they shall be bound to freight the same ships of the King's ligeance with their merchandizes before all other ships; and otherwise, it shall be lawful to the said merchants to hire other ships convenient, and there to freight them with their goods and merchandizes, notwithstanding the said first statute."

6 R. 2. st. 1. c. 10. [Stat. Dig. tit. MERCHANT, pl. 27.]

31. Also, so much of the said last-mentioned statute, whereby it is ordained and accorded, "that all manner of foreigners and aliens, being of the amity of the King and his realm, and coming within the city of *London*, and other cities, boroughs, and towns within the realm, with fish and all manner of other victuals, there tarrying and going again to their own countries, shall be under the safeguard and special protection

of our Lord the King; and that there it shall be lawful for them and every to cut their fishes and victuals aforesaid in pieces, and in part, or in all, at retail, or in gross, as to them best shall seem, to sell and make their profit."

11 R. 2. c. 7. [Stat. Dig. tit. MERCHANT, pl. 11.]

32. Also, so much of a statute made in the 11th year of the reign of the said King *Richard* the Second, whereby it is ordained and established, "that the said statutes of the 9th and 25th years of the reign of King *Edward* the Third (herein-before recited, and as recited in the said statute of the 11th year of King *Richard* the Second), shall be firmly holden, kept, maintained, and fully executed in all the points and articles of the same, notwithstanding any ordinance, statute, charter, letters patent, franchise, proclamation, commandment, usage, allowance or judgment made or used to the contrary; and that if any such statute, ordinance, charter, letters patent, franchise, proclamation, commandment, usage, allowance or judgment be made or used to the contrary, it shall be utterly repealed, avoided, and holden for none."

14 R. 2. c. 1. s. 2. [Stat. Dig. tit. MERCHANT, pl. 29.]

33. Also, so much of the said statute made in the 14th year of the reign of the said King *Richard* the Second, whereby it is ordained and established, "that every person alien that bringeth any merchandize into *Eng.*, shall find sufficient sureties before the customers in the port, where the merchandize shall be brought, to buy other merchandize, to the value of half the said merchandizes so brought at the least, as wools, leather, woollfells, lead, tin, butter, cheese, cloth or other commodities of the land."

14 R. 2. c. 2. [Stat. Dig. tit. ALIEN, pl. 1.]

34. Also, so much of the said last-mentioned statute, whereby it is ordained and established, "that for every exchange that shall be made by merchants to the court of *Rome*, or elsewhere, the said merchants be bound in chancery to buy, within three months after the said exchange made, merchandizes of the staple or other commodities of the land to the value of the sums so exchanged, upon pain of forfeiture of the same."

14 R. 2. c. 6.

35. Also, so much of the said last-mentioned statute, whereby it is ordained and established, "that all merchants of the realm of *Eng.* shall freight in the said realm the ships of the said realm, and not strange ships, so that the owners of the said ships take reasonable gains for the freight of the same."

14 R. 2. c. 10.

36. Also, so much of the said statute made in the 14th year of the reign of King *Richard* the Second, whereby it is ordained and established, "that no customer nor controller have any ships of their own, nor meddle with the freight of ships."

16 R. 2. c. 1. s. 2. [Stat. Dig. tit. MERCHANTS, pl. 10.]

37. Also, so much of a statute made in the 16th year of the reign of the said King *Richard* the Second, whereby it is ordained and assented, "that no merchant stranger alien shall sell nor buy nor merchandize with another strange merchant alien to sell again; nor that no stranger merchant alien shall sell to retail within the said realm, nor put to sale any manner of wares or merchandizes, except livings and victuals; and also, that all aliens shall sell wines by whole vessels, and spiceries by whole vessels and bales, and in no other manner."

20 R. 2. c. 4. [Stat. Dig. tit. MERCHANT, pl. 21.]

38. Also, so much of a statute made in the 20th year of the reign of King *Richard* the Second, whereby it is granted or provided, "that so much of the said statute of the 28th year of the reign of King *Edward* the Third (as is herein-before recited, and as is recited in the said statute of the 20th year of King *Richard* the Second), shall be holden and kept in all points, and duly executed, notwithstanding any ordinance or usage to the contrary."

1 H. 4. c. 17. [Stat. Dig. tit. MERCHANT, pl. 27.]

39. Also, so much of a statute made in the first year of the reign of King *Henry* the Fourth, whereby it is ordained and established, "that so much of the statute made in the sixth year of the reign of King *Richard* the Second (as is herein-before recited relating to fish and victuals imported by aliens), should be firmly holden and kept and duly executed after the form and effect thereof, notwithstanding certain letters patent granted to the contrary to the fishmongers of *London*, by the said King *Richard* the Second."

4 H. 4. c. 15. [Stat. Dig. tit. COIN, pl. 9.]

40. Also, so much of a statute made in the fourth year of the reign of the said King *Henry* the Fourth, whereby it is ordained and established, "that all the merchants aliens, strangers and denizens, which bring merchandizes into this realm of *Eng.*, and the same do sell within the realm, and receive *English* money for the same, that they shall bestow the same money upon other merchandizes of *Eng.*, for to carry the same out of the realm of *Eng.*, without carrying any gold or silver in coin, plate, or mass, out of the said realm, upon pain of forfeiture of the same, saving always their reasonable costs."

4 H. 4. c. 20.

41. Also, so much of the said statute made in the said fourth year of the reign of the said King *Henry* the Fourth, whereby it is ordained and established, "that all manner of merchandizes entering into the realm of *Eng.*, or going out of the same, shall be charged and discharged in the great ports of the sea, and not in creeks and small arrivals, upon pain to forfeit all the merchandizes so charged or discharged to our Lord the King; except vessels or merchandizes arriving in such little creeks and arrivals by coercion of tempest of the sea."

5 H. 4. c. 7. [Stat. Dig. tit. MERCHANT, pl. 31, 32.]

42. Also, so much of a statute made in the fifth year of the reign of the said King *Henry* the Fourth, whereby it is ordained and established, "that all the merchants strangers of what estate or condition that they be, coming, dwelling or repairing within the realm of *Eng.*, shall be entreated and demeaned within the same realm, in the manner, form, and condition as the merchants denizens be, or shall be entreated and demeaned in the parts beyond the sea, upon pain to forfeit to the King all the goods and chattels of such merchants strangers, and upon pain of imprisonment of the bodies of such merchants strangers."

5 H. 4. c. 9. [Stat. Dig. tit. COIN, pl. 9.; MERCHANT, pl. 33, 34.]

43. Also, so much of the said last-mentioned statute, whereby it is ordained and established, "that the customers and controllers in all the ports of *Eng.* shall take sufficient sureties for all manner of merchandizes brought by the merchants aliens and strangers coming and repairing to the said ports, to the intent that the money taken for the said merchandize shall be employed upon the commodities of the realm, saving their reasonable costs; and that the said merchants, aliens, and strangers, shall sell their said merchandizes so brought within the said realm, within a quarter of a year next after their coming into the same; and also, that the money which shall be delivered by exchange in *Eng.*, be employed upon the commodities of the realm within the same realm, upon pain of forfeiture of the same money; and that no merchant alien nor stranger, sell any manner of merchandize to any other merchant, alien or stranger, upon pain of forfeiture of the said merchandize; and that in every city, town, and port of the sea in *Eng.*, where the said merchants, aliens or strangers be, or shall be repairing, sufficient hosts shall be assigned to the same merchants by the mayor, sheriffs, or bailiffs of the said cities, towns, and ports of the sea, and that the said merchants aliens, and strangers, shall dwell in no other place but with their said hosts so to be assigned."

6 H. 4. c. 4. [Stat. Dig. tit. COIN, pl. 9.; MERCHANT, pl. 33, 34, but not pl. 35. — but *quare*. See *post*, pl. 133.]

44. Also, so much of a statute made in the sixth year of the reign of the said King *Henry* the Fourth, whereby so much of the said statute of the fifth year of the said King *Henry* the Fourth, as is herein-before last recited, is repealed.

11 H. 4. c. 8. [Stat. Dig. tit. ALIEN, pl. 1.]

45. Also, so much of a statute made in the 11th year of the reign of the said King *Henry* the Fourth, whereby it is ordained and established, "that so much of the statute made in the 14th year of the reign of King *Richard* the Second, as is herein-before recited, respecting exchanges by merchants to the court of *Rome*, or elsewhere, should be firmly holden and kept, and put in due execution," with a certain addition thereto, as in the said statute of the 11th year of the said King *Henry* the Fourth is mentioned and set forth.

4 H. 5. c. 5. [Stat. Dig. tit. MERCHANT, pl. 33, 34.]

46. Also, so much of a statute made in the fourth year of the reign of King *Henry* the Fifth, whereby it is granted and provided, "that so much of the statute made in the fifth year of the reign of King *Henry* the Fourth, as is herein-before recited, shall be firmly holden and kept in all points, and put in due execution according to the contents of the same."

9 H. 5. st. 2. c. 9., and 1 H. 6. c. 6. [Stat. Dig. tit. ALIEN, pl. 1.]

47. Also, so much of a statute made in the parliament holden on the first day of *Dec.*, in the ninth year of the reign of the said King *Henry* the Fifth, and of a statute made in the first year of King *Henry* the Sixth, whereby it is ordained, "that all merchants that shall make exchanges to the court of *Rome*, or elsewhere, shall be bound personally in the chancery, by recognizance, to buy within nine months after the same exchanges made, merchandizes and commodities of *Eng.*, to the value of the sums so changed, upon pain of forfeiture of the same."

2 H. 6. c. 11. [Stat. Dig. tit. WEIGHTS, &c. pl. 16.; *again rep.*, 3 G. 4. c. 74. s. 1.]

48. Also, so much of a statute made in the second year of the reign of King *Henry* the Sixth, whereby it is ordained and established, "that no man shall bring into the realm of *Eng.*, from what country soever it be, nor make within the said realm, a tun of wine, except it contains of the *English* measure 252 gallons, the pipe 126 gallons, and so after the rate the tertian and the hogshead of *Gascoign* wine, upon pain of forfeiture of the same wine; nor barrel of herring, nor of eels, unless they contain

30 gallons fully packed, nor butt of salmon, unless it contain 84 gallons fully packed, nor kinderkins, tertians, and firkins of herring, nor of eels, nor of salmon, but after the rate, fully packed, upon pain of forfeiture of the said herring, eels, and salmon."

8 H. 6. c. 19. [Stat. Dig. tit. STAPLE, pl. 1.]

49. Also, so much of a statute made in the eighth year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that no mariner stranger, nor other mariner, that is both owner and master of any ship or vessel, shall take nor receive within *Eng.*, *Wa.*, nor *Ire.*, in his ship or vessel, any manner of wools, woolfells, nor other merchandizes of the staple, nor carry the same out of the realm to any port beyond the sea, but only to the staple of *Calais*, except such which shall pass beyond the straits of *Marrok*; and that upon pain of forfeiture to the King, as well as of such ships and goods so found defective, as of the goods of the said mariners being in the same ships or vessels."

8 H. 6. c. 24. [Stat. Dig. tit. MERCHANT, pl. 38, 39, 40.]

50. Also, so much of the said last mentioned statute, whereby it is ordained, "that no merchant alien shall constrain nor bind any of the King's liege people, to make him payment in gold for any manner of debt which to him may be due, nor refuse to receive payment in silver for any manner of such duty or debt; and that no *Englishman* shall sell within the realm, or cause to be sold to any merchant alien, any manner of merchandize, but only for ready payment in money, or else in merchandizes for merchandizes, to be paid and contented in hand, upon pain of forfeiture of the same."

9 H. 6. c. 2. [Stat. Dig. tit. MERCHANT, pl. 40.]

51. Also, so much of a statute made in the ninth year of the reign of King *Henry* the Sixth, as relates to the sale of cloths by *English* merchants to merchants aliens.

14 H. 6. c. 6. [Stat. Dig. tit. MERCHANT, pl. 27, 28.]

52. Also, so much of a statute made in the 14th year of the reign of the said King *Henry* the Sixth, whereby it is ordained and established, "that so much of the statutes made in the sixth year of the reign of King *Richard* the Second, and in the first year of the reign of King *Henry* the Fourth, as is herein-before recited, relating to fish and victuals imported by aliens, should be firmly holden and kept; any other statutes or ordinances made to the contrary notwithstanding;" with a certain addition to the said statutes as in the said statute of the 14th year of King *Henry* the Sixth is mentioned and set forth.

14 H. 6. c. 7. [Stat. Dig. tit. PRIZE, pl. 1.]

53. Also, so much of the last mentioned statute made in the 14th year of the reign of the said King *Henry* the Sixth, whereby it is granted and ordained, "that if it happen that any merchandizes of aliens of the King's amity to be taken by the King's lieges in any ships or vessels of the King's enemies, not being under the King's safe-conduct or protection, that the said lieges may them retain and enjoy, without any impeachment or restitution thereof to be made."

18 H. 6. c. 4. [Stat. Dig. tit. MERCHANT, pl. 2.]

54. Also, so much of a statute made in the 18th year of the reign of King *Henry* the Sixth, whereby it is ordained, "that no merchant alien or stranger shall sell no manner of merchandize to other merchant alien or stranger, upon pain of forfeiting of the same merchandizes; and that all merchants aliens and strangers, coming or abiding to merchandize within any city, town, borough, or port in *Eng.*, shall be under the surveying of certain people to be called hosts or surveyors, to them to be assigned in manner directed by the said statute;" and also so much and all such parts of the said statute as relate to such merchants aliens and their hosts.

18 H. 6. c. 8. [Stat. Dig. tit. SAFE-CONDUCT, pl. 3.]

55. Also, so much of the said last mentioned statute, whereby it is ordained and granted, "that merchants aliens, at their pleasure, may charge ships and vessels of *Spain* and of other parts, taken from adversaries and enemies of the King, in manner and under the regulations in the said statute mentioned and provided."

18 H. 6. c. 17. [Stat. Dig. tit. GAUGING, pl. 5.]

56. Also, so much of the said last-mentioned statute of the 18th year of King *Henry* the Sixth, as relates to the gauging of vessels of wine, oil, and honey.

20 H. 6. c. 5.

57. Also, so much of a statute made in the 20th year of the reign of the said King *Henry* the Sixth, whereby it is ordained and established, "that no customer nor controller of the customs, clerks, deputies or ministers, or their servants or factors, nor searchers, nor controllers, nor surveyors or searchers, nor their clerks, deputies, ministers, or factors, shall have any ships of their own, nor shall buy or sell by way or by colour of merchandize, nor shall not meddle with freighting of ships, nor have or occupy any wharfs or quays, nor hold any hosteries or taverns, nor shall be any factors or attornies for merchants, denizens or aliens, nor shall be host to any merchant alien."

23 H. 6. c. 15. [Stat. Dig. tit. GAUGING, pl. 6.]

58. Also, so much of a statute made in the 23d year of the reign of

King *Henry* the Sixth, as relates to the duty of a gauger, or to the penny called the gauge-penny.

27 H. 6. c. 1.

59. Also, so much of a statute made in the 27th year of the reign of the said King *Henry* the Sixth, whereby the importation of merchandize of the growing or workmanship of *Brabant*, *Holland*, or *Zealand*, was prohibited or restrained.

27 H. 6. c. 3. [Stat. Dig. tit. GOLD AND SILVER, pl. 11.]

60. Also, so much of the said statute made in the 27th year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that if any merchants aliens and strangers bring wheat corn, or any other merchandizes or victual, into any haven, port, or creek, or other places of this realm, that the mayors, bailiffs, port-reves, customers, controllers and searchers, and other officers of the said port, haven, or creek, or other places, shall have authority to seize all ships, barges, and vessels freighted with wheat corn or any other merchandizes or victual brought into this realm to sell, and to take security of all the said merchants, aliens and strangers that the money which shall be taken or received for the said wheat corn and other merchandizes or victual, shall be employed upon the merchandizes and commodities of this realm."

28 H. 6. c. 1.

61. Also, so much of a statute made in the 28th year of the reign of the said King *Henry* the Sixth, whereby the provisions of so much of the said recited statute of the 27th year of the said King *Henry* the Sixth, as relates to importation from *Brabant*, *Holland*, and *Zealand*, are continued in force.

35 H. 6. c. 5.

62. Also, so much of a statute made in the 33d year of the reign of the said King *Henry* the Sixth, whereby it is ordained and established, "that if any *Lombard*, or any other person, stranger or denizen, bring or cause to be brought, by way of merchandize, any wrought silk thrown, ribbands, laces, corses of silk, or any other thing wrought, touching or concerning the mystery of silk women, the corses which come from *Genoa* only excepted, into any port or place of the realm from beyond the sea, that the same wrought silk thrown, ribbands, laces, corses, and other things so brought and wrought, concerning the same mysteries, shall be forfeit," and also, so much of the said statute whereby any penalty is imposed in respect of such importation, or as authorizes the appointment of any searchers for things so imported.

3 Ed. 4. c. 1.

63. Also, so much of a statute made in the third year of the reign of King *Edward* the Fourth, whereby it is ordained and established, "that no person inhabiting within the realm, other than merchant strangers, shall freight nor charge, within the realm of *Eng.* or *Wa.*, any ship or other vessel of any alien or stranger, with any merchandizes to be carried out of the said realm or *Wa.*, or to be brought into the same, if he may have sufficient freight in the ships or vessels of the denizens of this realm, upon pain to forfeit the same merchandizes."

3 Ed. 4. c. 3.

64. Also, so much of the said statute made in the third year of the reign of King *Edward* the Fourth, whereby the importation of any wrought silk thrown, ribbands, laces, corses of silk, or other things wrought, concerning the craft of silk women, is prohibited or restrained.

4 Ed. 4. c. 1. [Stat. Dig. tit. WOOL, pl. 14, 15.]

65. Also, so much of a statute made in the fourth year of the reign of the said King *Edward* the Fourth, whereby it is ordained and established, "that all manner of woollen cloths made in any other region, brought into this realm, and set to sale within any part of this realm, shall be forfeit to our sovereign lord the King, except cloths made in *Wa.* and *Ire.*, and cloths taken by any of the King's liege people upon the sea, without fraud or collusion."

4 Ed. 4. c. 5.

66. Also, so much of the said statute made in the fourth year of the reign of the said King *Edward* the Fourth, as relates to the importation of merchandize from *Brabant*, *Holland*, and *Zealand*, or from the dominions of the Duke of *Burgundy*.

4 Ed. 4. c. 6. [Stat. Dig. tit. MERCHANT, pl. 33.]

67. Also, so much of the said statute made in the fourth year of the reign of the said King *Edward* the Fourth, as relates to the surety to be given by alien merchants for employing their money in purchase of *English* commodities.

12 Ed. 4. c. 2. [Stat. Dig. tit. BOWS, pl. 2.]

68. Also, so much of a statute made in the 12th year of the reign of the said King *Edward* the Fourth, whereby it is ordained and established, "that every merchant stranger, and every or any of their factors, attornies, or servants, which shall bring or convey into this land any merchandize, in carrack, galley, or ship, from the city or country of *Venice*, or from any other city, town, or country, from whence bow-staves had before that time been brought, sent, or conveyed into this land, at every time of their bringing, sending, or conveying of any such merchandizes into this realm, shall bring, send, or convey into this

realm, with the said merchandizes, in the same carrack, galley, or ship, wherein any such merchandizes shall be brought, sent, or conveyed, for every tuntight or tun weight of such merchandizes which shall be contained in any carrack, galley, or ship, four bow-staves;" and also, so much of the said statute whereby any penalty is imposed, or any search is authorized with respect to such bow-staves.

17 Ed. 4. c. 1. [Stat. Dig. tit. COIN, pl. 14. 17. tit. MERCHANT, pl. 42.]

69. Also, so much of a statute made in the 17th year of the reign of the said King *Edward* the Fourth, whereby it is ordained, "that every merchant alien, and every victualler and other stranger, not being denizen, which shall resort into any place or port of the realm of *Eng.* or *Wa.*, shall duly employ all the money to be received by him, within any part of the said realm or *Wa.*, upon merchandizes or other commodities of this realm, or without any fraud, he shall put the same in due payment to the king's liege people within this realm, the same employment or payment duly to be proved in manner mentioned in the said recited statute, upon pain of forfeiture of all his goods being within this realm, and one year's imprisonment;" and also, so much of the last mentioned statute as relates to the recovery of any penalties or forfeitures for offences against so much of the said statute as is herein-before recited.

22 Ed. 4. c. 3.

70. Also, so much of a statute made in the 22d year of the reign of the said King *Edward* the Fourth, whereby it is ordained and established, "that no merchant stranger nor other person shall bring into the realm to be sold, any corses, girdles, ribbands, laces, call-silk, or colein-silk thrown or wrought, upon pain of forfeiture of the same, or value thereof,"—SHALL BE REPEALED.

71. And so much and such parts of the said several statutes as are herein-before recited and set forth, are hereby accordingly repealed, and from and after the passing of this act [24th June 1822], shall cease and determine, and be of no force, effect, or validity whatsoever; any thing in the said recited statutes, or any of them, or in any statute or act for continuing or making perpetual, or amending of the said statutes, or any of them, or any part thereof, or any law, usage, or custom whatsoever to the contrary in anywise notwithstanding: except only so far as the same statutes, or any of them, or any thing therein contained, repeal any former statute or statutes, or any part thereof; and all and every which said statutes or statute, or the part thereof so repealed, shall remain and continue repealed to all intents and purposes whatsoever, 3 G. 4. c. 41. s. 1.

72. From and after the passing of this act [24th June 1822], the several acts herein-after mentioned, relating to the importation of goods, or to commerce or navigation, or so much and such parts of them as are herein-after specified shall be repealed; (that is to say)—

1 R. 3. c. 9. [Stat. Dig. tit. ALIEN, pl. 9—12.]

73. The whole of an act made in the first year of the reign of King *Richard* the Third, intituled, *An Act touching the merchants of Italy*, or so much thereof as shall be in force and unrepealed immediately before the passing of this act.

1 R. 3. c. 10.

74. Also, another act made in the said first year of the reign of King *Richard* the Third, intituled, *An Act touching the bringing in of silk, laces, ribbands, &c.*

1 R. 3. c. 11. [Stat. Dig. tit. BOWS, &c. pl. 2.]

75. Also, another act made in the said first year of the reign of the said King *Richard* the Third, intituled, *An Act touching bowyers.*

1 R. 3. c. 13. [Stat. Dig. tit. GAUGING, pl. 7—10.]

76. Also, another act made in the said first year of the reign of King *Richard* the Third, intituled, *An Act for the contents of a butt of malmsey*, or *An Act to ascertain the contents of vessels of wine and oil.*

1 H. 7. c. 2.

77. Also, an act made in the first year of the reign of King *Henry* the Seventh, intituled, *An Act that denizens shall pay customs and subsidies.*

1 H. 7. c. 8.

78. Also, another act made in the first year of the reign of the said King *Henry* the Seventh, intituled, *An Act against bringing in of Gascoigne wine except in English, Irish, or Welshmen's ships.*

1 H. 7. c. 9.

79. Also, an act made in the said first year of the reign of the said King *Henry* the Seventh, intituled, *An Act against merchant strangers for bringing into this realm girdles, ribbands, laces, &c.*

3 H. 7. c. 8. [Stat. Dig. tit. COIN, pl. 9—17., MERCHANT, pl. 42.]

80. Also, an act made in the third year of the reign of the said King *Henry* the Seventh, intituled, *An Act for confirmation of a statute made in the 17th year of Edward the Fourth, against carrying out of this realm money for wares brought into the same; or so much of the said act of the third year of the reign of King Henry the Seventh, as shall be in force and unrepealed immediately before the passing of this act.*

4 H. 7. c. 10.

81. Also, an act made in the parliament begun to be holden at Westminster on the 13th day of Jan., in the fourth year of the reign of the said King Henry the Seventh, intituled, *An Act against bringing into this realm wines in foreign bottoms*, or so much thereof as shall be in force and unrepealed immediately before the passing of this act.

7 H. 7. c. 8.

82. Also, an act made in the seventh year of the reign of King Henry the Seventh, intituled, *An Act to pay custom for every butt of malmsey*.

11 H. 7. c. 14.

83. Also, an act made in the 11th year of the reign of the said King Henry the Seventh, intituled, *An Act that all strangers and denizens shall pay customs*.

11 H. 7. c. 17. s. 3. [Stat. Dig. tit. GAME, pl. 18.]

84. Also, so much of an act made in the 11th year of the reign of the said King Henry the Seventh, intituled, *An Act against taking of feasants and partridges*, whereby it is ordained, "that all such persons that bring any nisse, hawk or hawks, from any of the parts beyond the sea, bring a certificate under the customer's seal of the port where he first landed with the said hawk or hawks, testifying that the same hawk or hawks be of the parts beyond the sea, upon pain of forfeiture of the said hawk or hawks to the king."

12 H. 7. c. 6. [Stat. Dig. tit. MERCHANT, pl. 43.]

85. Also, an act made in the 12th year of the reign of the said King Henry the Seventh, for merchants adventurers, or intituled, *An Act for merchants adventurers*.

19 H. 7. c. 21.

86. Also, the whole of an act made in the 19th year of the reign of the said King Henry the Seventh, for sylke-women, or intituled, *An Act for silk-women*.

19 H. 7. c. 23. [Stat. Dig. tit. MERCHANT, pl. 44.]

87. Also, another act made in the said 19th year of the reign of the said King Henry the Seventh, for the still-yard, or intituled, *An Act for the Hanse merchants*.

1 H. 8. c. 5.

88. Also, an act made in the first year of the reign of King Henry the Eighth, intituled, *An Act for the true payment of the King's customs*.

14 & 15 H. 8. c. 4.

89. Also, an act made in the 14th and 15th years of the reign of the said King Henry the Eighth, intituled, *An Act for payment of customs*.

22 H. 8. c. 8.

90. Also, an act made in the 22d year of the reign of the said King Henry the Eighth, intituled, *An Act for denizens to pay strangers custom*.

23 H. 8. c. 7.

91. Also, an act made in the 23d year of the reign of the said King Henry the Eighth, intituled, *An Act that the statutes made for the maintenance of the navy of this realm shall stand in full strength, and how Gascoigne and French wines shall be brought in, and the same and other wines sold*.

25 H. 8. c. 9. ss. 1, 2. [Stat. Dig. tit. BRAZIERS, pl. 9, 10.]

92. Also, so much of an act made in the 25th year of the reign of the said King Henry the Eighth, intituled, *An Act concerning pewterers*; whereby it is enacted, "that no person thereafter, at any time then inhabiting, or which thereafter should inhabit within this realm, should buy or otherwise take by exchange for other wares, any manner of wares made out of the realm, of tin or mixed with tin, or any thing made of tin or pewter," as in the said act is mentioned, upon pain of the forfeiture in the said act mentioned; and also, so much of the said act, whereby it is enacted, "that it should be lawful for the wardens of the craft of pewterers and other officers in the said act mentioned, to appoint persons to make search and seizure, and to take into their hands and possession all such wares as should be brought contrary to the true intent and effect of the said act, in whosoever hands or possession any such should be found."

25 H. 8. c. 15. s. 2, 3. [Stat. Dig. tit. BOOKS, pl. 2, 3.]

93. Also, so much of an act made in the said 25th year of the reign of King Henry the Eighth, intituled, *An Act for printers and binders of books*; whereby it is enacted, "that no person or persons resiant or inhabitant within the realm, shall buy to sell again any printed book brought from any parts out of the King's obeisance ready bound in boards, leather, or parchment; nor shall buy within the realm of any stranger born out of the King's obeisance, other than of denizens, any manner of printed books brought from any of the parts beyond the sea, except only by engross and not by retail, under the pains and forfeitures in the said act mentioned."

27 H. 8. c. 14. [See post, pl. 156.]

94. Also, an act made in the 27th year of the reign of the said King Henry the Eighth, intituled, *An Act concerning the custom of leather*.

32 H. 8. c. 14.

95. Also, the whole of an act made in the 32d year of the reign of

the said King Henry the Eighth, intituled, *The maintenance of the navy* or, *An Act for the maintenance of the navy of Eng., and for certain rates of freight*.

33 H. 8. c. 2. [Stat. Dig. tit. FISH, pl. 5.]

96. Also, an act made in the 33d year of the reign of the said King Henry the Eighth, intituled, *An Act concerning buying of fish upon the sea, or The bill concerning buying of fish upon the sea*.

33 H. 8. c. 4. [Stat. Dig. tit. BRAZIERS, pl. 1. 11. 15.]

97. Also, so much of another act made in the 33d year of the reign of the said King Henry the Eighth, intituled, *An Act concerning pewterers*; whereby any article, sentence, or clause, therein and hereinbefore recited, contained in the said hereinbefore recited act of the 25th year of the reign of the said King Henry the Eighth is made perpetual; and also, so much of the said act of the 33d year of King Henry the Eighth, whereby it is enacted, "that no person or persons buy or take by exchange, or otherwise take into or within the realm, to the intent to sell any things or wares of tin or pewter in the said act rehearsed, made or to be made out of the realm;" and also, so much of the said last-mentioned act, whereby any penalty or forfeiture is imposed on any person or persons who shall unlawfully withstand, interrupt, disturb, or let the master or wardens, or their deputy, of the craft of pewterers, or other officers in the said act named, in searching, seizing, and taking into their hands and possession, such wares as shall happen to be bought or brought into the realm contrary to the purport and effect of the said act made in the 25th year of the reign of King Henry the Eighth.

2 & 3 Ed. 6. c. 22.

98. Also, the whole of an act made in the parliament holden in the second and third years of the reign of King Edward the Sixth, intituled, *An Act for the colouring customs in other men's names*.

5 & 6 Ed. 6. c. 18.

99. Also, the whole of an act made in the parliament holden in the fifth and sixth years of the reign of the said King Edward the Sixth, intituled, *An Act repealing a statute made in the fourth year of King Henry the Seventh, against the bringing in of wine and woad in strange bottoms*.

1 El. c. 11. s. 6.

100. Also, so much of an act made in the first year of the reign of Queen Elizabeth, intituled, *An Act limiting the times for laying on land merchandize from beyond the seas, and touching customs for sweet wines*; whereby it is enacted, "that no person, denizen ne stranger, do take upon him to enter, or do or cause to be entered into the books of any customers, or other officer or officers of any port or haven within this realm, or his or their deputy or deputies, servant or servants, any manner of goods, wares, or merchandizes whatsoever, coming or brought into the realm from any ports beyond the sea, or going or to be transported out of the realm into any the parts beyond the sea, in the name or names of any other person or persons than the very true owner or owners of the same goods, wares, or merchandizes, upon pain of forfeiture of the value of the goods so entered."

1 El. c. 13.

101. Also, an act made in the said first year of the reign of Queen Elizabeth, intituled, *An Act for the shipping in English bottoms*.

5 El. c. 5. ss. 6, 7. [Stat. Dig. tit. FISH, pl. 39, 40.]

102. Also, so much of an act made in the fifth year of the reign of the said Queen Elizabeth, intituled, *An Act touching politic constitutions made for the maintenance of the navy*, whereby it is enacted, "that it shall not be lawful to any person or persons to buy of any stranger, or out of any stranger's bottom, any herring being not sufficiently salted, packed, and casked."

5 El. c. 5. s. 9.

103. Also, so much of the said act, whereby it is enacted, "that all English hoys and plats may cross the seas, as far as Caen in Normandy, and eastward as far as Norway."

5 El. c. 5. s. 10. [Stat. Dig. tit. FISH, pl. 42.]

104. Also, so much of the said act, whereby it is enacted, "that it shall not be lawful to any person or persons to bring into the realm any cod or lings in barrels or other casks, but loose in bulk and by tale, to be sold within the realm."

5 El. c. 5. s. 11.

105. Also, so much of the said act, whereby it is enacted, "that no person or persons whatsoever shall bring into the realm of Eng., or any part of the same, any wine coming out of any of the dominions or countries belonging to the crown of France, or any woad called Thoulouse woad, in any other vessel or vessels, but only in such vessel and vessels whereof some subject or subjects of the Queen's majesty, her heirs or successors, shall be then only owner or part-owner."

13 El. c. 2. s. 7. [Stat. Dig. tit. PAPIST, pl. 17.]

106. Also, so much of an act made in the 13th year of the reign of the said Queen Elizabeth, intituled, *An Act against the bringing in and putting in execution of bulls and other instruments from the see of Rome*, whereby any danger, penalty, pain, or forfeiture may be incurred by or

inflicted upon any person or persons who shall bring into the realm of *Eng.*, or any of the dominions of the same, any token or tokens, or thing or things called or named by the name of an *agnus dei*, or any crosses, pictures, beads, or such like vain and superstitious things, from the bishop or see of *Rome*, or from any person or persons authorized or claiming authority by or from the said bishop or see of *Rome* to consecrate or hallow the same; or by or upon any person or persons so bringing in as is aforesaid such *agnus dei* and other things before specified, who shall deliver or cause or offer to be delivered, the same or any of them, to any subject of the realm, or of any dominions of the same, to be worn or used in anywise.

13 *El. c. 11.* [*Stat. Dig. tit. FISH, pl. 44—47.*]

107. Also, the whole of an act made in the said 15th year of the reign of the said Queen *Elizabeth*, intituled, *An Act for the maintenance of the navigation.*

13 *El. c. 14.* [*Stat. Dig. tit. Bows, &c.*]

108. Also, another act made in the said 15th year of the reign of the said Queen *Elizabeth*, intituled, *An Act for the bringing of bow-staves into this realm.*

13 *El. c. 15.*

109. Also, another act made in the said 15th year of the reign of the said Queen *Elizabeth*, intituled, *An Act that no hoy or plat shall cross the seas.*

23 *El. c. 7.* [*Stat. Dig. tit. FISH, pl. 6.*]

110. Also, an act made in the 23rd year of the reign of the said Queen *Elizabeth*, intituled, *An Act for the increase of mariners, and for the maintenance of navigation.*

27 *El. c. 15.*

111. Also, an act made in the 27th year of the reign of Queen *Elizabeth*, intituled, *An Act for bringing in of staple fish and herrings into this realm.*

28 *El. c. 4. (Ir.)*

112. Also, an act made in the parliament of *Ire.*, in the 28th year of the reign of Queen *Elizabeth*, intituled, *An Act of impost and custom of wines. (Irish act.)*

39 *El. c. 10.* [*Stat. Dig. tit. FISH, pl. 48—52.*]

113. Also, an act made in the 39th year of the reign of the said Queen *Elizabeth*, intituled, *An Act for the increase of mariners and maintenance of the navigation, repealing a statute made in the 23rd year of Her Majesty's reign, bearing the same title.*

1 *Ja. 1. c. 18. s. 2.* [*Stat. Dig. tit. HOPS, pl. 2.*]

114. Also, so much of an act made in the first year of the reign of King *James the First*, intituled, *An Act for avoiding of deceitful selling, buying, or spending corrupt and unwholesome hops*, whereby it is enacted, "that if any foreigner, stranger, native *Englishman*, denizen, merchant, or any other person or persons whomsoever, do bring or cause to be brought into *Eng.*, from any foreign realm or dominion beyond the sea, any hops being deceitfully or corruptly unclean, corrupt, or mixed with any powder, dust, dross, sand, or any other soil whatever, that every person so offending, shall forfeit the same hops so brought into the realm."

3 *Ja. 1. c. 5. s. 25.* [*Stat. Dig. tit. PAPIST, pl. 153.*]

115. Also, so much of an act made in the third year of the reign of the said King *James the First*, intituled, *An Act to prevent and avoid dangers which may grow by popish recusants*, whereby it is enacted, "that no person or persons shall bring from beyond the seas, nor shall print, sell, or buy any popish primers, ladies' psalters, manuals, rosaries, popish catechisms, missals, breviaries, portals, legends and lives of saints, containing superstitious matters, printed or written in any language whatsoever, nor any other superstitious books printed or written in the *English* tongue, upon pain of forfeiture of 40s. for every such book."

3 *Ja. 1. c. 6.* [*Stat. Dig. tit. MERCHANT, pl. 45, 46.*]

116. Also, the whole of an act made in the said third year of the reign of the said King *James the First*, intituled, *An Act to enable all H. M.'s loving subjects of Eng. and Wa., to trade freely into the dominions of Spain, Portugal, and France.*

16 *C. 2. c. 21. s. 2.* [*Stat. Dig. tit. GUNPOWDER, pl. 1.*]

117. Also, so much of an act made in the 16th year of the reign of King *Charles the First*, intituled, *An Act for the free bringing in of gunpowder and saltpetre from foreign parts, and for the free making of gunpowder in this realm*, whereby it is declared and enacted, "that it shall and may be lawful to and for all and singular persons, as well strangers as natural-born subjects of this realm, to import and bring into the kingdom any quantities of gunpowder whatsoever, paying such customs and duties for the same, as by authority of parliament shall be limited and set down,"—SHALL BE REPEALED.

118. And the said several acts before mentioned, and so much and such parts of any of the acts as are herein-before recited and set forth, are hereby accordingly repealed, and from and after the passing of this act [24th June 1822.] shall cease and determine, and be of no force, effect or validity whatsoever; any thing in the said recited acts or any

of them, or in any act or acts for continuing or amending of the said acts, or any of them or any part thereof, or any law, usage or custom whatsoever to the contrary in anywise notwithstanding, except only so far as the said acts or any of them, or any thing therein contained, repeal any former statute or statutes or act or acts, or any part thereof; and all and every which said statute or statutes or act or acts, or the part thereof so repealed, shall remain and continue repealed to all intents and purposes whatsoever, 3 *G. 4. c. 41. s. 2.*

119. From and after the passing of this act [24th June 1822] so much and such parts of the several statutes herein-after mentioned and recited, relating to the exportation of goods, wares, and merchandize, as are herein-after specified and set forth, shall be repealed; that is to say—

27 *Ed. 1. Stat. de falsa moneta.* [*Stat. Dig. tit. COIN, pl. 8.*]

120. So much of a statute made in the 27th year of the reign of King *Edward the First*, "concerning false money," whereby it is ordained, "that no good money of silver of the King's coin or any other, nor any silver in plate or otherwise, shall go or be carried forth of the realm, nor out of the King's jurisdiction into foreign parts, without the King's special licence."

9 *Ed. 3. st. 1. c. 1.* [*Stat. Dig. tit. MERCHANT, pl. 6.*]

121. Also, so much of a statute made in the ninth year of the reign of King *Edward the Third*, whereby it is provided, "that merchants aliens shall carry no wine out of the realm."

11 *Ed. 3. c. 1.*

122. Also, so much of a statute made in the 11th year of the reign of the said King *Edward the Third*, whereby it is accorded, "that no merchant foreign or denizen, nor none other of what estate or condition that he be, upon pain of forfeiture of life and member, and of as much as he may forfeit towards the King, shall carry or cause to be carried, by himself nor by other, privily nor openly, any wools to any place out of the realm, till by the King and his council it be thereof otherwise provided."

14 *Ed. 3. st. 1. c. 21. s. 2.*, and 14 *Ed. 3. st. 2. c. 3.*

123. Also, so much of a statute made in the 14th year of the reign of the said King *Edward the Third*, whereby it is granted or provided, "that every man that shippeth wools over the sea, *Englishman* or other, resiant, inhabiting, or repairing in *Eng.*, shall find good and sufficient surety to the customers, to bring again every of every sack of wool, plate of silver to the value of two marks, at his first return or repairing, or within the three months after the wools so shipped shall pass out of the port, and to bring the same plate to the King's exchange, and there to receive his money."

27 *Ed. 3. st. 2. c. 3.*

124. Also, so much of the statute or ordinance of the staples, made in the 27th year of the reign of the said King *Edward the Third*, whereby it is granted or provided, "that no merchant, *English, Welsh*, nor *Irish*, shall carry any manner of wools, leather, woollfells, or lead out of the King's realm and lands; and also, so much of the said statute or ordinance as relates to any covin or collusion, fraud or deceit, with respect to the carrying out the said wares and merchandizes, or to the receiving payment for the sale thereof, by or on behalf of such merchants; or so much and such parts of the said statute or ordinance as are in force or effect relating to such exportation immediately before the passing of this act.

28 *Ed. 3. c. 5.*

125. Also, so much of a statute made in the 28th year of the reign of the said King *Edward the Third*, whereby it is accorded and established, "that iron made in *Eng.*, and iron brought into *Eng.* and there sold, shall not be carried out of the said realm of *Eng.*, upon pain of forfeiting the double to the King."

36 *Ed. 3. st. 1. c. 11.*

126. Also, so much of a statute made in the 36th year of the reign of the said King *Edward the Third*, whereby it is granted or provided, "that the merchants denizens may pass with their wools, as well as foreigners, without being restrained."

43 *Ed. 3. c. 1.*

127. Also, so much of a statute made in the 43d year of the reign of the said King *Edward the Third*, whereby it is ordained or provided, "that wools, leather, woollfells, and all other wools, may be carried out of the realm by aliens, to what part shall please them, at their wills, and not by denizens."

50 *Ed. 3. c. 7.*

128. Also, so much of a statute made in the 50th year of the reign of the said King *Edward the Third*, whereby it is ordained, "that no woollen cloths shall be carried out of any part of the realm of *Eng.* before they be fulled."

14 *R. 2. c. 5.* [See *post, pl. 192.*]

129. Also, so much of a statute made in the 14th year of the reign of King *Richard the Second*, whereby it is ordained and established, "that no denizen carry wools, leather, woollfells, nor lead out of the

realm of *Eng.*, to the parts beyond the sea, upon pain of forfeiture of the same, but only strangers."

16 R.2. c.1. s.3.

130. Also, so much of a statute made in the 16th year of the reign of the said King *Richard* the Second, whereby it is ordained and assented, "that no manner of spicery, after that it be brought into the realm, shall be carried out of the same realm, by alien or denizen, upon pain of forfeiture of the same."

17 R.2. c.3.

131. Also, so much of a statute made in the 17th year of the reign of the said King *Richard* the Second, whereby it is ordained and established, "that the merchants or workers of cloths called single worsted, may carry bolts of single worsted to what parts they will, except to the King's enemies; provided, that under the colour of the said bolts of single worsted, they shall carry no double worsteds nor half double, no worsteds ray nor motley, upon pain of forfeiture of the same."

4 H.4. c.16.

132. Also, so much of a statute made in the fourth year of the reign of King *Henry* the Fourth, as relates to the confirmation of any former ordinances and statutes prohibiting the sending or carrying out of the realm of any money, or gold or silver in money, plate or vessel, or to any forfeiture for the same.

6 H.4. c.4. [See ante, s.1. pl. 44.]

133. Also, so much of a statute made in the sixth year of the reign of the said King *Henry* the Fourth, whereby it is provided, "that merchants, aliens, and strangers shall not carry or cause to be carried out of the realm, any merchandizes brought within the realm by merchants, aliens, and strangers."

8 H.5. c.2. [Stat. Dig. tit. GOLD, &c. pl. 9.]

134. Also, so much of a statute made in the eighth year of the reign of King *Henry* the Fifth, whereby it is ordained and established, "that every merchant stranger buying wools in *Eng.* to carry them to the west parts or elsewhere, not coming to the staple there to be sold, shall bring to the master of the mint of the Tower of *London*, of every sack, one ounce of bullion of gold, and in the same manner of three pieces of tin, one ounce of bullion of gold, or the value in bullion of silver, upon pain of forfeiture of the same wools and tin, or the value of the same to the King."

3 H.6. c.2.

135. Also, so much of a statute made in the third year of the reign of King *Henry* the Sixth, whereby it is ordained and granted, "that no manner of person, of what estate or condition that he be, be suffered to ship or cause to be shipped within the realm of *Eng.*, any sheep fleeced or shorn, into the country of *Flanders*, or to any other parts beyond the sea."

3 H.6. c.4. [post, pl. 198.]

136. Also, so much of the said statute made in the third year of the reign of King *Henry* the Sixth, as relates to the exporting of butter and cheese.

8 H.6. c.23.

137. Also, so much of a statute made in the eighth year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that no man shall carry or convey out of the realm, any manner of thrums, nor threads of wool called woollen yarn, under the colour of thrums, upon pain to forfeit the double value of the same."

18 H.6. c.3.

138. Also, so much of a statute made in the 18th year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that the King's liege people may convey and carry out of this realm, whither it shall please them, of the King's amity, cheese and butter, without any licence to be sued in anywise, any statute made to the contrary notwithstanding: provided that the King may restrain the same when it shall please him."

23 H.6. c.2.

139. Also, so much of a statute made in the 23d year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that no man shall pack nor ship any thrums nor woollen yarn, in anywise to be had, or to pass out of *Eng.* beyond the sea, upon the penalties and forfeitures in the said statute mentioned and contained."

3 Ed.4. c.1. [See pl. 140—214.]

140. Also, so much of a statute made in the third year of the reign of King *Edward* the Fourth, as in any manner relates to or concerns the buying or selling any manner of wool or woolfells, morling or shorling, within any part of the realm; or to the shipping, carrying, or exporting of any wools, woolfells, morling or shorling, at or from any place within the realm to any place out of the realm, by any alien or stranger, or by any denizen, or any other the King's subjects; or as imposes any penalty or forfeiture with respect to any such buying, selling, shipping, carrying, or exporting of any such wool, woolfells, morling, or shorling respectively.

7 Ed.4. c.3. [Stat. Dig. tit. WOOLS, pl. 16.]

141. Also, so much of a statute made in the seventh year of the

reign of the said King *Edward* the Fourth, whereby it is ordained and established, "that no person, denizen or stranger, shall carry or cause to be carried into any parts beyond the sea, any woollen yarn or cloth, not fulled, upon the penalties and forfeitures in the said act mentioned."

17 Ed.4. c.1. [Stat. Dig. tit. COIN, pl. 1.—3.]

142. Also, so much of a statute made in the 17th year of the reign of the said King *Edward* the Fourth, whereby it is ordained that no person shall carry or cause to be carried out of the realm any manner of money of the coin of the realm, nor money of the coin of any other realms, land, or seignories, nor no plate, vessel, mass, bullion, nor jewels of gold, wrought or unwrought, or of silver, without the King's licence, upon pain of felony: — SHALL BE REPEALED.

143. And so much and such parts of the said several statutes as are herein-before recited and set forth, are hereby accordingly repealed: and from and after the passing of this act [24th June 1822] shall cease and determine, and be of no force, effect, or validity whatsoever, any thing in the said recited statutes, or any of them, or in any statute or statutes, or act or acts, for continuing or making perpetual or amending of the said statutes, or any of them, or any part thereof, or any law, usage, or custom whatsoever to the contrary in anywise notwithstanding: except only so far as the said statutes, or any of them, repeal any former statute or statutes, or any part thereof, and which said statute or statutes, or any part thereof so repealed, shall remain and continue repealed to all intents and purposes whatsoever, 3 G.4. c.41. s.3.

144. From and after the passing of this act [24th June 1822], the several acts herein-after mentioned relating to the exportation of goods, wares, and merchandizes, or so much and such parts of any of them as are herein-after specified, shall be repealed; (that is to say),

3 H.7. c.11. [Stat. Dig. tit. WOOL, pl. 17.]

145. An act made in the third year of the reign of King *Henry* the Seventh, intituled, *An Act that no stranger or denizen shall carry any woollen cloths out of this realm before they be barbed, rowed, and shorn.*

11 H.7. c.13. [Stat. Dig. tit. HORSES, pl. 2—5.]

146. Also, an act made in the 11th year of the reign of the said King *Henry* the Seventh, intituled, *An Act against transporting of horses and mares beyond the seas.*

3 H.8. c.3. s.4. [Stat. Dig. tit. Bows, &c.]

147. Also, so much of an act made in the third year of the reign of King *Henry* the Eighth, intituled, *An Act concerning shooting in long-bows*, whereby it is enacted or provided, "that no stranger born out of the King's obeysance, not being denizen, shall not convey, nor do to be conveyed into any parts out of the King's obeysance, any long-bows, arrows, or shafts, without the King's especial licence, upon pain of forfeiture of the same, and upon pain of imprisonment."

3 H.8. c.7. [Stat. Dig. tit. WOOL, &c. pl. 18.]

148. Also, an act made in the third year of the reign of King *Henry* the Eighth, intituled, *An Act against carrying cloths over the sea unshorn.*

13 H.8. c.2. (Ir.) and 22 H.8. c.17. (Ir.)

149. Also, two acts made in the parliament of *Ire.*, in the 13th and 28th years of the reign of the said King *Henry* the Eighth, to prevent the lading or exporting of wools and flocks.

14 & 15 H.8. c.1. s.1.

150. Also, an act made in the parliament holden in the 14th and 15th years of the reign of the said King *Henry* the Eighth, intituled, *The Act concerning the conveying, transporting, and carrying of broad white woollen cloths out of this realm.*

14 and 15 H.8. c.3. s.12.

151. Also, so much of an act made in the parliament holden in the said 14th and 15th years of the reign of the said King *Henry* the Eighth, intituled, *The Act concerning the dressing of worsteds, sayes, and stamins, for the town of Great Yarmouth*, whereby it is enacted, "that no person or persons convey or transport into any of the parts beyond the sea, any manner of cloths of worsteds before the same cloths be shorn, dyed, coloured, and calendred, upon pain of forfeiting the value thereof."

21 H.8. c.10.

152. Also, the whole of an act made in the 21st year of the reign of the said King *Henry* the Eighth, intituled, *An Act against the carrying of laten brass and such metal mixed, beyond the sea.*

22 H.8. c.7. [Stat. Dig. tit. HORSES.]

153. Also, an act made in the 22d year of the reign of the said King *Henry* the Eighth, intituled, *An Act against conveyance of horses out of this realm.*

25 H.8. c.2. s.4. [Stat. Dig. tit. VICTUALS, pl. 15.]

154. Also, so much of an act made in the 25th year of the reign of the said King *Henry* the Eighth, intituled, *An Act of proclamation to be made concerning victuals*, whereby it is enacted, "that no person or persons, unless it be by licence under the King's great seal, shall carry or convey, or cause to be carried or conveyed, any beef, mutton, veal, pork, or

any other victuals in the said act mentioned, to any ports beyond the seas, except as in the said act is excepted."

26 H. 8. c. 16. [Stat. Dig. tit. WOOLS, &c. pl. 25.]

155. Also, so much of an act made in the 26th year of the reign of the said King Henry the Eighth, intituled, *An Act for making of worsteds in the city of Norwich, and in the towns of Lyn and Yarmouth*, whereby so much as is herein-before recited of the act made in the 14th and 15th years of the said King Henry the Eighth, concerning the dressing of worsted sayes and stamins for the town of Great Yarmouth, is made perpetual.

27 H. 8. c. 14. [See ante, s. 2. pl. 94.]

156. Also, another act made in the 27th year of the reign of King Henry the Eighth, intituled, *An Act concerning the custom of leather*.

33 H. 8. c. 7.

157. Also, an act made in the 33d year of the reign of the said King Henry the Eighth, intituled, *An Act concerning the conveyance of brass latten and bell metal over the sea*.

33 H. 8. c. 9. s. 9. [Stat. Dig. tit. Bows.]

158. Also, so much of another act made in the said 33d year of the reign of the said King Henry the Eighth, intituled, *An Act for maintenance of artillery and debarring of unlawful games*, whereby it is enacted, "that no stranger born out of the King's obeysance not being denizen, shall convey or do to be conveyed, give, sell, or exchange, into any parts of the King's obeysance, any long-bows, arrows, or shafts, without the King's especial licence, upon pain of forfeiture of the same and of imprisonment."

33 H. 8. c. 16. s. 2.

159. Also, so much of an act made in the said 33d year of the reign of the said King Henry the Eighth, intituled, *An Act for worsted yarn in Norfolk*, whereby any penalty or forfeiture is imposed on any person or persons who ship to carry or convey into the part beyond the sea, any yarn called worsted yarn, not wrought or made in cloth, so such yarn be spun or made within the realm of Eng.

1 Ed. 6. c. 5. [Stat. Dig. tit. HORSES, pl. 6—15.]

160. Also, an act made in the 1st year of the reign of King Edward the 6th, intituled, *An Act that no horses shall be conveyed out of this realm and other the King's dominions, without licence*, or so much thereof as shall be in force immediately before the passing of this act.

1 Ed. 6. c. 6. s. 2.

161. Also, so much of an act made in the said 1st year of the reign of the said King Edward the Sixth, intituled, *An Act for the continuance of making worsted yarn in Norfolk*, whereby so much of the act made in the 33d year of the reign of King Henry the Eighth, intituled, *An Act for worsted yarn in Norfolk*, as is herein-before recited and set forth, is enacted to continue for ever.

2 & 3 Ed. 6. c. 37.

162. Also, the whole of an act made in the parliament holden in the second and third years of the reign of King Edward the Sixth, intituled, *An Act for carrying of bell metal out of the realm, or, An Act against the carrying of bell metal out of the realm*.

5 & 6 Ed. 6. c. 15. s. 5. [Stat. Dig. tit. LEATHER, &c. pl. 6.]

163. Also, so much of an act made in the parliament holden in the fifth and sixth years of the reign of the said King Edward the Sixth, intituled, *An Act against regrators of tanned leather*, whereby it is enacted, "that no person or persons shall ship or cause to be shipped (to the intent to carry, transport, or convey over the sea, as merchandize to be sold or exchanged there), any shoes, boots, buskins, stertups or slippers, upon pain to forfeit the same or the value thereof."

1 M. st. 3. c. 8. s. 1. [Stat. Dig. tit. LEATHER, &c. pl. 10.]

164. Also, so much of an act made in the parliament begun to be holden at Westminster, on 2d April, in the first year of the reign of Queen Mary, intituled, *An Act touching the buying and currying of leather*, whereby it is enacted or provided, "that curriers, shoemakers, and girdlers, nor any person for them or for their use, shall buy any kind of tanned leather to sell again to any merchant or other stranger to be conveyed over the sea, nor shall send nor convey any leather beyond the sea, upon the forfeiture of all such leather so brought."

1 & 2 P. & M. c. 5.

165. Also, an act made in the parliament holden in the first and second years of the reign of King Philip and Queen Mary, intituled, *An Act to restrain carrying of corn, victuals, and wood, over the sea*, so far as the same relates to victuals and wood.

5 El. c. 22. [Stat. Dig. tit. HIDES, &c. pl. 1, 2. See post, pl. 224.]

166. Also, an act made in the fifth year of the reign of Queen Elizabeth, intituled, *An Act against carrying of sheep-skins and pells over the sea, not being staple ware*, or so much of the said act as shall be in force immediately before the passing of this act.

8 El. c. 3.

167. Also, an act made in the eighth year of the reign of the said Queen Elizabeth, intituled, *An Act against carrying over sea, rams, lambs, and other sheep, alive*.

8 El. c. 6. [Stat. Dig. tit. WOOLS, pl. 32—36.]

168. Also, another act made in the said eighth year of the reign of Queen Elizabeth, intituled, *An Act touching cloth-workers and cloths ready wrought to be shipped over the sea*.

11 El. c. 10. (Ir.)

169. Also, an act made in the parliament of Ire., in the 11th year of the reign of Queen Elizabeth, intituled, *An Act for the staying of wool flocks and tallow, and other necessities within this realm*.

13 El. c. 2. (Ir.)

170. And also, an act made in the said parliament, in the 13th year of Queen Elizabeth, for explaining the said act of the 11th year of Queen Elizabeth.

18 El. c. 9.

171. Also, an act made in the 18th year of the reign of the said Queen Elizabeth, intituled, *An Act against the transporting of leather, tallow, and raw hides out of the realm*.

35 El. c. 11.

172. Also, an act made in the 35th year of the reign of the said Queen Elizabeth, intituled, *An Act for the bringing in clap-board from the parts of beyond the seas, and the restraining of transporting of wine casks, for the sparing and preserving of timber within this realm*.

3 Ja. 1. c. 9. s. 2. [Stat. Dig. tit. HIDES, &c. pl. 4.]

173. Also, so much of an act made in the third year of the reign of King James the First, intituled, *An Act for the relief of such as lawfully use the trade and handicraft of skimmers*, whereby it is enacted, "that no person or persons shall transport or carry beyond the seas, nor cause to be transported or carried beyond the seas, nor shall pack, ship, or lade to the intent to transport or carry beyond the seas, any black coney skins of the breed of this realm, unless the same skins shall first be tanned, and duly and perfectly wrought, dressed, and packed within this realm, by those that are artizans, skimmers, or tanners unto the said artizans skimmers, according to the science, art, and faculty of the said artizans skimmers, upon pain of forfeiture of such skins or the value thereof."

3 Ja. 1. c. 11.

174. Also, the whole of another act made in the said third year of the reign of the said King James the First, intituled, *An Act for the transportation of beer over the sea*:—SHALL BE REPEALED.

175. And the said several acts before mentioned, or so much and such parts of the said several acts respectively as are herein-before respectively recited and set forth, are hereby accordingly repealed, and from and after the passing of this act [24th June 1822], shall cease and determine, and be of no force, effect, or validity whatsoever: any thing in the said recited acts or any of them, or in any other act or acts for continuing or amending of the said acts or any of them, or any part thereof, or any law, usage or custom whatsoever, to the contrary in anywise notwithstanding: except only so far as the said acts or any of them, or any thing therein contained, repeal any former act or acts, or any part thereof, and which said act or acts, or the parts thereof so repealed, shall remain and continue so repealed, to all intents and purposes whatsoever, 3 G. 4. c. 41. s. 4.

176. And whereas divers laws, statutes, ordinances, and provisions have been from time to time made, relating to the staples or markets of wools, leather, woollfells, lead, tin, and other commodities of the realm, and to the places (within the realm and without) where such staples should be held, and to which such staple commodities of the realm should be brought or carried for sale and exportation, and relating to the sale and purchase and export of such staple commodities, and to the conduct of merchants, strangers and others at such staples: and whereas as such staples or markets have long ceased to be held, and the laws relating to the same have become inoperative and inapplicable to the trade in the said commodities, and it is therefore expedient that the said laws should be expressly repealed: be it therefore enacted, That from and after the passing of this act [24th June 1822], the several statutes and ordinances herein-after mentioned, and so much and such parts of such statutes and ordinances respectively, as are herein-after specified relating to the said staples, shall be repealed; that is to say,

27 Ed. 3. st. 2. [Stat. Dig. tit. STAPLE.]

177. The whole of a statute or ordinance made in the 27th year of the reign of King Edward the Third, intituled or known by the name of *The Statute of the Staple*, or *The Ordinance of the Staples*, or by whatever name, title, or description the said statute or ordinance may have been or may be known, intituled or described; except only so far as is herein-after specially excepted and provided for.

27 Ed. st. 2.

178. Also, an ordinance made in the said 27th year (or in the 28th year) of the reign of the said King Edward the Third, concerning the sums to be paid to the mayors and constables of the staples for their services; or so much of the said several statutes or ordinances as

shall be in force and unrepealed immediately before the passing of this act.

28 Ed. 3. c. 13. s. 1.

179. Also, so much of a statute made in the 28th year of the reign of the said King *Edward* the Third, whereby it is accorded and established, "that all the ordinances made in the great council holden at *Westminster*, the *Monday* next after the feast of *Saint Matthew* the Apostle, then last past, together with certain declarations and additions made in the parliament of the said 28th year, should be firmly kept and holden for a statute to endure for ever."

28 Ed. 3. c. 13. s. 2. [Stat. Dig. tit. WOOL, &c. pl. 12.]

180. Also, so much and such parts of the said statute made in the 28th year of the reign of the said King *Edward* the Third, whereby it is accorded and established, "that the warranty of packing of wools shall wholly be out, and that no man be holden to make such warranty, unless it is by a covenant made by deed ensealed; and that no man other than a merchant, denizen or alien, shall be charged by the laws and usages of the staple until they be declared in parliament."

28 Ed. 3. cc. 14, 15. [Stat. Dig. tit. WOOL, pl. 5, 6.]

181. Also, so much of the said last mentioned statute as relates to the showing of wools at the staple, or within three miles about the staple, or to the bounds of the staple of *Westminster*, or in other cities or towns.

31 Ed. 3. c. 7.

182. Also, so much of a statute made in the 31st year of the reign of the said King *Edward* the Third, whereby it is accorded and established, "that the king assign his justices to enquire, hear and determine of those that have carried wools, leather, and woolfells to the parts beyond the seas, and thereof have made covin and excess, and otherwise attempted against the ordinances and the form of the statute of the staple."

31 Ed. 3. cc. 7, 8, 9.

183. Also, so much of the said last mentioned statute as relates to the exportation of wools, leather, and woolfells, and to the refuse of wools, and to the bringing wools, fells, and leather to the staple, or to the ports ordained for the staple, or to the lodging, showing, or selling of wools within three miles of the staple, or to the prolonging the term for exportation of wools.

36 Ed. 3. st. 1. c. 7. [Stat. Dig. tit. STAPLE, pl. 10.]

184. Also, so much of a statute made in the 36th year of the reign of the said King *Edward* the Third, as relates to the cognizance of debts, covenants and contracts, and other pleas touching merchandize, before mayors and constables of the staples, and to the suing by merchants aliens of their plaints and quarrels before the mayor of the staple, and to the power of the mayor of the staple to take recognizances of debt.

38 Ed. 3. st. 1. c. 7. [Stat. Dig. tit. STAPLE, pl. 24.]

185. Also, so much of a statute made in the 38th year of the reign of the said King *Edward* the Third, whereby it is accorded and assented, "that the staple shall be in *Eng.*, and that the statute of the staple made in the 27th year of the reign of the said King *Edward* the Third, with the declarations, additions, and modifications thereof made, be holden and kept, notwithstanding any grant, licence, or other statute, or ordinance made afterward."

43 Ed. 3. c. 1.

186. Also, so much of a statute made in the 43d year of the reign of the said King *Edward* the Third, as relates to abolishing the staple at *Calais*, and as directs that the staple of wools, woolfells, and leather shall be holden in certain places in *Eng.*, *Wa.*, and *Ire.*; and as relates to the weighing, sealing, cocketing and customing of wools, woolfells and leather at the said staples, before the said wools, woolfells, or leather shall pass out of the realm, and as relates to the carrying wools, woolfells, and leather out of the realm by aliens and not by denizens, and as imposes or inflicts any forfeiture or penalty on such exportation by denizens.

2 R. 2. st. 1. c. 1. [Stat. Dig. tit. MERCHANT, pl. 12—14.]

187. Also, so much of a statute made in the parliament holden at *Gloucester* in the 2d year of the reign of King *Richard* the Second, whereby any saving is made for the ordinances made before that time of the staple of *Calais*, to be holden in their force and virtue.

2 R. 2. st. 1. c. 5. [Stat. Dig. tit. MERCHANT, pl. 25.]

188. Also, so much of the said last mentioned statute as relates to merchants of *Genoa*, *Venice*, *Catalonia*, *Aragon*, and of other lands, realms, and countries toward the west, carrying wools, leather, woolfells, lead, tin, and other merchandizes of the staple into their country towards the west, paying the customs, subsidies, and duties, and finding the surety in the said act mentioned.

12 R. 2. c. 16. [Stat. Dig. tit. STAPLE, pl. 1.]

189. Also, so much of a statute made in the 12th year of the reign of King *Richard* the Second, whereby it is ordained and assented, "that the staple be removed from *Middleburgh* to *Calais*."

14 R. 2. c. 1. [Stat. Dig. tit. STAPLE, pl. 1.]

190. Also, so much of a statute made in the 14th year of the reign of

King *Richard* the Second, whereby it is ordained and established, "that the staple be removed from *Calais* into *Eng.*, and that it be holden in the places contained in the statute of the staple, made in the 27th year of the said King's grandfather, and in none other places; and that the said statute be holden and kept and duly executed in all points, with the additions in the said statute of the 14th year of King *Richard* the Second, notwithstanding any declaration or statute made to the contrary."

14 R. 2. c. 3. [Stat. Dig. tit. STAPLE, pl. 12.]

191. Also, so much of the said statute of the 14th year of the reign of King *Richard* the Second, whereby it is ordained and established, "that in every port and place where the staple shall be, the mayors, constables, brokers, and all other officers and ministers of the staple shall be sworn first to the King, and afterwards to the staple."

14 R. 2. c. 5. [REF. ante, s. 3. pl. 129.]

192. Also, so much of the last mentioned statute, whereby it is ordained and established, "that no denizen carry wools, leather, woolfells, nor lead, out of the realm of *Eng.* to the parts beyond the sea, upon pain of forfeiture of the same, but only strangers."

15 R. 2. c. 9. [Stat. Dig. tit. RECOGNIZANCE, pl. 45. See s. 7. pl. 229.]

193. Also, so much of the last mentioned statute as relates to recognizances of debts made before, or taken or received by any mayor of the staple, and to any penalty in respect of such recognizance taken contrary to the statute of the staple.

21 R. 2. c. 17. [Stat. Dig. tit. STAPLE, pl. 1.]

194. Also, so much of a statute made in the 21st year of the reign of the said King *Richard* the Second, as relates to the exportation of wools, leather, woolfells, tin, and lead, to any other place than to the staple at *Calais*.

2 H. 5. st. 2. c. 6.

195. Also, so much of a statute made in the second year of the reign of King *Henry* the Fifth, in a parliament holden at *Westminster* the *Monday* next after the octaves of *Saint Martin*, whereby an ordinance made in the 1st year of the reign of King *Henry* the Fourth, relating to the staple of wools, leather, woolfells, lead and tin, at *Calais*, was confirmed; and whereby it was ordained, "that no wools, fells, leather, lead, or tin, nor none other merchandize of the staple, should be sent or carried to any parts beyond the sea, unless they were first brought to the said staple at *Calais*, after the form of the said ordinance, upon the penalties and under the regulations in the said last recited statute mentioned and provided."

2 H. 6. c. 4. [Stat. Dig. tit. STAPLE, pl. 1.]

196. Also, so much of a statute made in the second year of the reign of King *Henry* the Sixth, whereby it was ordained and established, "that any statutes or ordinances relating to the staple at *Calais*, before then made and not repealed, should be holden and kept and put in due execution; and that the whole repair of wools, woolfells, leather, lead, tin, whole or molten, called shotten tin, and all other merchandizes pertaining to the staple, passing out of the realm of *Eng.* and of the countries of *Wa.* and *Ire.*, should be at the said place of *Calais*, and at none other place beyond the sea, as long as the said staple should be at the town of *Calais*, upon pain of forfeiture of the very value of the merchandizes which should pass elsewhere but to the parts towards the west named in the said statutes thereof made; and also, so much of the said last mentioned statute, as relates to licences for shipping of wools, fells, and leather of *Northumberland*, *Westmoreland*, *Cumberland*, and the bishopric of *Durham*.

2 H. 6. c. 5.

197. Also, so much of the said last mentioned statute, whereby it is ordained and established, "that if any person carry, or cause to be carried, any wools or woolfells not customed out of the realm to other places than to the staple of *Calais*, he shall forfeit to the King the value of the merchandizes so shipped, and his body to prison till he hath made and paid a fine and ransom; and that he that giveth knowledge to the treasurer of *Eng.* for the time being, and the trespasser for the same duly convict, shall have the fourth part of the forfeiture due to the King in this behalf."

3 H. 6. c. 4. [REF. ante, s. 3. pl. 136.]

198. Also, so much of the statute made in the third year of the reign of the said King *Henry* the Sixth, whereby it is ordained and established, "that he that will carry butter and cheese to any other parts than to the staple at *Calais*, shall sue to the chancellor of *Eng.* for the time being, to have a licence in this behalf; and that the same chancellor shall have power to make him such licences under the King's great seal, if it like him so to do by his discretion."

6 H. 6. c. 6.

199. Also, so much of a statute made in the sixth year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that every merchant, as well denizen as alien, may freely and safely ship wools, leather, woolfells and other merchandizes of the staple, in the port of *Melcombe* in the county of *Dorset*, and from thence carry them to the staple at *Calais*, paying the customs and subsidies due to the King."

8 H. 6. c. 17. [Stat. Dig. tit. STAPLE, pl. 1.]

200. Also, so much of a statute made in the eighth year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that no person ship, nor do to be shipped, no manner of wools, woolfells, leather, lead, nor tin, whole nor shotten, nor the same carry nor convey to none other parts beyond the sea, but only to the staple of *Calais*;" and whereby any forfeiture or penalty is imposed or inflicted, or made payable in respect of merchandizes carried or conveyed contrary to the ordaining of the said statute.

8 H. 6. c. 18.

201. Also, so much of the said last mentioned statute as relates to the sale of wools, woolfells, and tin at the staple of *Calais*, and the payment for the same, and the bringing bullion to the mint there, and the partition of the money for wools and woolfells sold there, and the acquittances to merchants buyers.

8 H. 6. c. 20.

202. Also, so much of the said last-mentioned statute, whereby it is ordained, "that no merchant continually inhabiting within the town of *Calais*, shall be suffered to buy beyond the sea, any manner of wools, woolfells, leather, lead, nor tin, nor other merchandize pertaining to the staple, upon pain of forfeiture of the same."

8 H. 6. c. 21.

203. Also, so much of the said last-mentioned statute, whereby it is ordained, "that certain licences to the men of *Newcastle* and *Berwick*, for the exporting of wools, shall be repealed; and that, if any of evil will do sell or carry any wools or woolfells, leather, lead, or any other merchandizes of the staple, in defraud of the King or hindrance of the commodity of his realm, into *Scot.*, that he shall forfeit the same goods with the double value, and his body to prison by the space of a year."

10 H. 6. c. 1.

204. Also, so much of a statute made in the 10th year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that all the recognizances of debts, before the mayor and constable of the staple of *Calais*, made or to be made by any persons beyond the sea, shall be as effectual and executory and of such force in all points within the realm, and in the same form executory, as the recognizances made before the mayor and constables of the staple of *Westminster*, or before any other mayors or constables within the said realm be."

10 H. 6. c. 7.

205. Also, so much of the said last-mentioned statute, whereby any penalty or forfeiture is imposed or made payable, or any search is authorized, in respect of any wool, woolfells, hides, lead, tin, or other merchandizes of the staple, carried into *Scot.*, *Flanders*, *Holland*, *Zealand*, or *Brabant*.

11 H. 6. c. 13.

206. Also, so much of a statute made in the 11th year of the reign of King *Henry* the Sixth, whereby it is ordained, "that the ordinance and statute made in the eighth year of the said King *Henry* the Sixth, and herein-before recited, relating to the sale of wools, woolfells, and tin, at the staple of *Calais*, and the payment for the same, and the bringing bullion to the mint there, and the partition of the money for wools and woolfells sold there, should be continued; saving to the King, power and authority to modify the same statute by the advice of his council."

11 H. 6. c. 14.

207. Also, so much of the said statute of the 11th year of the reign of King *Henry* the Sixth, whereby it is ordained and established, "that none upon pain of felony, bring, carry, or ship, nor cause to be brought, carried, nor shipped, any merchandizes of the staple, in any creeks within the realm of *Eng.*"

14 H. 6. c. 2.

208. Also, so much of a statute made in the 14th year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that no licences mentioned in the said statute, as prejudicial and contrary to the common and universal weal of the realm and of the merchants, and in destruction of the town of *Calais*, and of the ordinance of partition made in the eighth year of the reign of the said King, shall in nowise be granted; and that every man which shippeth, or doeth to be shipped, any wools or woolfells to carry them over the sea in anywise, shall repair with the same to *Calais* and there discharge the said wools and woolfells, after the tenor of the statutes, and after the good rules and ordinances of the staple, saving as in the said statute is saved and provided."

14 H. 6. c. 5.

209. Also, so much of the said statute of the 14th year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that all the wools and woolfells, and all other merchandizes, which by statute ought to repair to the staple of *Calais*, found in any creek, shipped contrary to the statute and ordinance made in the 11th year of the reign of the said King *Henry* the Sixth, and herein-before recited and repealed, shall

be forfeit: and that every person that shall ship or cause to be shipped, any manner of wools, woolfells, or other merchandize, to go to the staple aforesaid, and come not there, shall forfeit as much goods as the wools, woolfells, and other merchandizes by them so shipped and carried to other places than to *Calais*, do amount, by extent after the very value, except the merchandizes which be to be excepted to pass by the King's licence to other places: and that if any person lay any wools, woolfells, or other merchandize of the staple, in any suspicious place adjoining to the water-side, and no indenture thereof made betwixt him and the mayor, bailiffs, or constables of the town in which such wools, woolfells, or other merchandize of the staple be so laid, that the said wools, woolfells, and merchandize be forfeit; and that every man shall have power to make search in every place for such goods of the staple so carried or shipped or laid to be shipped as aforesaid, without impediment or disturbance of any person."

15 H. 6. c. 8.

210. Also, so much of a statute made in the 15th year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that no person shall ship nor do to be shipped, wools, woolfells, and other merchandizes pertaining to the staple, in no place within the realm, but only at the keys and wharfs being in the ports assigned by statute, where the King's weights and his beam be set; and that every master of the ships and vessels in which such wools and woolfells and merchandizes be put, shall find security to the customer of the ports where they do ship to carry the said wools and woolfells and merchandize to the staple of *Calais*, and to bring a certification from thence that he hath so done."

18 H. 6. c. 15.

211. Also, so much of a statute made in the 18th year of the reign of the said King *Henry* the Sixth, whereby it is ordained, "that no manner of person shall carry or do to be carried any wools or woolfells customable out of the realm to other places than to the staple of *Calais*, without the King's special licence, upon pain of felony; and that if any person do contrary thereto, and thereof be convicted or attainted, that he be adjudged for a felon;" and also, so much of the said statute as relates to the enquiring, hearing, and determining of such offences.

20 H. 6. c. 12.

212. Also, so much of a statute made in the 20th year of the reign of the said King *Henry* the Sixth, as relates to a certain ordinance of partition made upon wools and woolfells in the staple at *Calais*.

27 H. 6. c. 2.

213. Also, so much of a statute made in the 27th year of the reign of the said King *Henry* the Sixth, whereby it is ordained and established, "that the mayors, constables, and fellowship of merchants of the staple of *Calais* for the time being, and their successors for ever, may have and enjoy all their franchises and liberties, and every of them, and whole repair of all manner of merchandizes to the said staple by the said King or his progenitors, to them or to their predecessors, or any of them, by the authority of parliament granted or confirmed, not repealed nor excepted;" and also, so much and all such parts of the said last-mentioned statute as in any way relate to the said mayor, constables, and fellowship, and their successors, or to any powers, authorities, or privileges to be used or exercised by them, or to any action or suit to be brought by them under the said statute; and also, so much and such parts of the said statute as relate to any licence for shipping wools, woolfells, or tin, out of the realm of *Eng.*, *Ire.*, or *Wa.*, to any other place, than to the staple of *Calais*; or to the shipping or carrying any wools, woolfells, or tin out of the realm by colour of any licence, and putting them to sale in any other port or place out of the realm than at the said staple of *Calais*; or to any penalties or forfeitures of money, goods, or chattels imposed or inflicted in respect of any such offences by the said statute; or to any powers of seizing any wools, woolfells, or tin, carried or shipped contrary to the said statute; or to any penalties on any customer, controller, searcher, or surveyor, admitting any such wools, woolfells, or tin to be shipped to any other port or place than to the said staple, or willingly suffering any such merchandizes to pass out of the realm, not customed or not weighed at the King's beam; or to the mode of recovering such penalties; or to the trial of any thing done contrary to the ordinance of the said statute, either within the realm or without.

3 Ed. 4. c. 1. [REP. ante, ss. 1. 3. pl. 64—140.]

214. Also, so much and such parts of a statute made in the third year of the reign of King *Edward* the Fourth, as relate to the buying or shipping of wools or woolfells, morling or shorling, by aliens or strangers within the realm, or the carrying the same by them out of the realm; or to the carrying any wools, woolfells, morling or shorling out of the realm, by any person, stranger, alien, or denizen, or to the shipping or carrying such wools, woolfells, shorling or morling to any place out of the said realm except to *Calais*; or to the shipping any wools, woolfells, shorling or morling of the growing within any of the counties of *Northumberland*, *Cumberland*, and *Westmorland*, or within the bishoprick of *Durham*; or to any pain, penalty, or forfeiture whatever, in respect of any offences

against the said provisions of the said statute ; and also, so much of the said last-mentioned statute, whereby it is ordained and established, "that no merchant of the said staple of *Calais* shall sell or utter any wools, woolfells, morling or shorling, or any other merchandizes of the staple, at the said staple, but that he, before or upon delivery of the same, receive and take ready payment and contentation for the same in manner directed by the said statute, upon the penalty or forfeiture in the said statute mentioned ; and that no merchant of the said staple shall sell or utter or alter the property from him of the said merchandizes of the staple, nor no part of the same, at any place out of the realm, other than at the said staple of *Calais*."

4 Ed. 4. c. 2.

215. Also, so much and such parts of a statute made in the fourth year of the reign of the said King *Edward* the Fourth, whereby it is granted, ordained, and established, "that all wools and woolfells, shorling and morling, that shall be shipped to pass out of the realm, shall be shipped at the towns of such ports wherein the King hath his beam, his weights, and collectors of the customs, to serve and deliver the merchandize as specified and set forth in the said statute ; and that every person that so shall ship or cause to be shipped out of this realm, any wools, woolfells, shorling or morling, upon the shipping of them, and before that they pass out of any of the said towns where they shall be shipped, shall find surety to the King and the collector of his customs there, that the same wools, woolfells, shorling and morling, shall pass to *Calais* and to none other place, without fraud or collusion ;" and also, so much of the said last-mentioned statute as relates to any certificate of the customer testifying the coming of all such ships with wools, woolfells, shorling and morling to *Calais*, or as imposes any penalty on such customer not giving such certificate, or any person not bringing in such certificate, or on any person doing contrary to the said statute, or as relates to the application or recovery of any such penalty.

4 Ed. 4. c. 3.

216. Also, so much of the said last-mentioned statute as relates to the shipping of any wool or woolfells, morling or shorling, shipped at the port and town of *Newcastle*, or as imposes any penalty or forfeiture in respect of any such wools, woolfells, morling or shorling, at the said town or port, or as relates to the application or recovery of any such penalty or forfeiture.

12 Ed. 4. c. 5.

217. Also, so much of a statute made in the 12th year of the reign of the said King *Edward* the Fourth, whereby it is enacted, ordained, and established, "that all the wools, woolfells, and fells called shorling and morling, growing within the realm (other than in the said statute are excepted) to be shipped and conveyed out of the realm, shall be conveyed to the staple of *Calais*, and to none other place, and that if any man do to the contrary, and thereupon be duly convicted, that then he shall stand and be of like condition as a man attainted of felony after the course of the common law, and shall incur like pain and forfeiture as he so attainted for the same should do," and also, so much of the said last-mentioned statute, whereby it is ordained, "that all wools and woolfells, and fells called morling and shorling, growing or being in any county of the realm, or in *Wa.*, or in the markets of the same, other than before excepted, to be carried out of the realm, shall be conveyed to the said staple of *Calais* and to none other place, upon the same penalty and forfeiture ; the prerogative of the King to grant any licence to the contrary except."

14 Ed. 4. c. 3.

218. Also, so much of a statute made in the 14th year of the reign of the said King *Edward* the Fourth, whereby it is ordained and established, "that the act of the 12th year of the reign of the said King *Edward* the Fourth, immediately herein-before recited, should be in full strength and effect in every point thereof, saving only as in the said statute of the said 14th year is saved and excepted ;" and also, so much of the said statute of the said 14th year as relates to wools, woolfells, and fells called shorling and morling, growing and being within the counties of *Westmorland*, *Cumberland*, *Northumberland*, the bishoprick of *Durham*, *Richmondshire*, and *Allerton*, to be carried out of the realm :—**SHALL BE REPEALED.**

219. And the said several statutes and ordinances herein-before recited, and so much and such parts of the several other statutes as are herein-before recited and set forth, are hereby accordingly repealed, and from and after the passing of this act [24th June 1822], shall cease, determine, and be of no force, effect, or validity whatsoever, except as in this act is excepted or provided for ; any thing in the said recited statutes and ordinances, or any of them, or in any statute or act for continuing or amending of the said statutes or ordinances, or any of them, or any part thereof, or any law, usage or custom whatsoever to the contrary in any wise notwithstanding ; except so far as the said statutes or ordinances, or any of them, or any thing therein, repeal any former statute or statutes, or act or acts, or any part thereof : and all and every of which said statutes or statute, or the parts thereof so repealed, shall remain and

continue repealed to all intents and purposes whatsoever, 3 G. 4. c. 41. s. 5.

220. From and after the passing of this act [24th June 1822], the several acts hereafter mentioned, or so much and such parts of the said acts respectively as are herein-after recited, shall be repealed ; (that is to say) —

1 H. 7. c. 3.

221. An act made in the first year of the reign of King *Henry* the Seventh, intituled, *An Act that no protection shall be allowed before the mayor of the staple at Calais.*

37 H. 8. c. 15.

222. Also, so much of an act made in the 57th year of the reign of King *Henry* the Eighth, intituled, *An Act against regrating of wools*, as relates to the buying of any wool by merchants of the staple at *Calais*, and their servants and factors, for the only provision of the said staple, and to be shipped only to the said staple.

5 & 6 Ed. 6. c. 7.

223. Also, so much of an act made in the parliament holden in the fifth and sixth years of the reign of King *Edward* the Sixth, intituled, *An Act limiting the time of buying and selling of wools*, as relates to the buying of wool by any merchant of the staple at *Calais*, or his or their apprentice or apprentices, to be shipped to the staple at *Calais*, and to the sale, by the said merchants of the staple, of any refuse, coarse wools, and locks, such as is not mete for the staple.

5 El. c. 22. s. 3. [See ante, s. 4. pl. 166.]

224. Also, so much of an act made in the fifth year of the reign of Queen *Elizabeth*, intituled, *An Act against the carrying of sheep skins and pelts over the sea not being staple ware* ; whereby it is provided, "that it shall and may be lawful to the merchants of the staple, their servants, factors, and attornies, and every of them, to carry and transport all such lawful wares as theretofore they had been accustomed and lawfully might."

15 El. c. 1. (Ir.)

225. Also, an act made in the parliament of *Ire.*, in the 13th year of the reign of Queen *Elizabeth*, intituled, *An Act that such cloth and stuff as shall be wrought of the wool flocks, linen yarn, woollen yarn, sheep fell, calf fell, goat fell, red deer fell, or fallow deer fell, within this realm, shall be transported for merchandize only by the merchants within every the staple cities and towns of this realm, and by the free merchants of the boroughs and privileged towns, and by none others*,—**SHALL BE REPEALED.**

226. And the said several acts before mentioned, or so much and such parts of the said several acts respectively, as are herein-before respectively recited and set forth, are hereby accordingly repealed ; and from and after the passing of this act [24th June 1822], shall cease, determine, and be of no force, effect, or validity whatsoever ; any thing in the said recited acts or any of them, or in any act or acts for continuing or amending of the said acts or any of them, or any part thereof, or any law, usage, or custom whatsoever to the contrary in any wise notwithstanding ; except only so far as the said acts or any of them or any thing therein contained, repeal any former statute or statutes, or act or acts, or any part thereof, and which said statute or statutes, act or acts, or any part thereof so repealed, shall remain and continue repealed to all intents and purposes whatsoever, 3 G. 4. c. 41. s. 6.

227. Provided, that nothing in this act shall extend to repeal or alter the several statutes, or parts of statutes herein-after mentioned ; that is to say,

(*Statutum de Mercatoribus*. [Stat. Dig. tit. **RECOGNIZANCES**, pl. 1.])

A statute made in the 13th year of the reign of King *Edward* the First, usually called the Statutes of Merchants.

27 Ed. 3. st. 2. c. 9. [Stat. Dig. tit. **RECOGNIZANCE**, pl. 4, 5.]

228. So much of the herein-before mentioned statute of the staple or ordinance of the staples made in the 27th year of the reign of King *Edward* the Third, as relates to recognizances acknowledged in the staples for recovery of debts.

15 R. 2. c. 9. [Stat. Dig. tit. **RECOGNIZANCE**, pl. 4.]

229. So much of a statute made in the 15th year of King *Richard* the Second, whereby so much of the said last-mentioned statute of the 27th year of King *Edward* the Third, as relates to the said recognizances, is confirmed or amended.

5 H. 4. c. 12. [Stat. Dig. tit. *id.* pl. 6.]

230. So much of a statute made in the fifth year of the reign of King *Henry* the Fourth, as relates to the regulating of executions upon statutes merchants.

11 H. 6. c. 10. [Stat. Dig. tit. *id.* pl. 8, 9.]

231. So much of a statute made in the 11th year of the reign of King *Henry* the Sixth, as relates to the regulating proceedings on writs of *scire facias* to defeat executions on statutes staple.

23 H. 8. c. 6. [Stat. Dig. tit. *id.* pl. 10.]

232. The whole of an act "for obligations to be taken by the two chief justices, the mayor of the staple, and recorder of *London*," made in the 23d year of the reign of King *Henry* the Eighth, and intituled, *An*

Act concerning before whom recognizances of debt shall be made, and the form of the obligation.

27 *El. c. 4. s. 7.* [*Stat. Dig. tit. FRAUDULENT CONVEYANCE, pl. 27.*]

233. So much of an act made in the 27th year of the reign of Queen Elizabeth, intituled, *An Act against covenous and fraudulent conveyances*, as in any way relates to or concerns recognizances by statutes merchant, or statutes of the staple.

8 *G. 1. c. 25.* [*Stat. Dig. tit. RECOGNIZANCE, pl. 10.*]

234. An act made in the eighth year of the reign of King George the First, intituled, *An Act for supplying some defects in the statute of the 23d of King Henry the Eighth*, intituled, 'An Act for obligations to be taken by the two chief justices, the mayor of the staple, and the recorder of London;' and for setting down the time of signing judgments in the principality of Wa., and counties palatine; but the said several statutes, and the several provisions therein contained, so far as the same relate to such obligations and recognizances, shall be and remain, and the same are hereby declared to be and remain, in such FORCE AND EFFECT as the said statutes, and the said provisions contained therein or in any of them were immediately before the passing of this act, 3 *G. 4. c. 41. s. 7.*

235. Provided also, that nothing in this act shall extend to repeal 28 *Ed. 3. c. 13.* [*Stat. Dig. tit. JURY, pl. 17, 18.*]

So much of the said recited statute made in the 28th year of the reign of King Edward the Third, confirming the ordinance of the staple whereby it is accorded and established, "that in all manner of inquests and proofs which be to be taken or made among aliens and denizens, be they merchants or other, as well before the mayor of the staple as before any other justices or ministers, although the King be party, the one half of the inquest or proof shall be of denizens and the other half of aliens, if so many aliens be in the town or place where such inquest or proof is to be taken, that be not parties nor with the parties in contracts, pleas, or other quarrels, whereof such inquests or proofs ought to be taken; and that if there be not so many aliens, then shall there be put in such inquests or proofs as many aliens as shall be found in the same towns or places which be not thereto parties nor with the parties as afore is said; and the remnant of denizens which be good men and not suspicious to the one party nor the other:"

8 *H. 6. c. 29.* [*Stat. Dig. tit. JURY, pl. 19, &c.*]

236. Nor to extend or be construed to extend to repeal or alter so much of a statute made in the eighth year of the reign of King Henry the Sixth, whereby it is declared that so much of a statute made in the second year of the reign of King Henry the Fifth, as is recited in the said statute of the eighth year of King Henry the Sixth, shall extend only to inquests to be taken between denizen and denizen; and that so much of the said statute of the 28th year of the reign of King Edward the Third, as is herein-before recited, shall be put in due execution; and so much and such parts of the said statutes as relate to such inquests, shall remain in full FORCE, 3 *G. 4. c. 41. s. 8.*

237. Provided also, that nothing in this act shall extend to repeal any of the statutes, or parts of statutes, herein-before mentioned, so far as the same or any of them may relate to the contents of tuns, pipes, tertians, hogsheads, or other vessels of wine, oil, honey, and other gaugeable liquors or articles imported into the city of London or the liberties thereof, or the gauging thereof, which the mayor and commonalty and citizens of London are, by divers charters, authorized to gauge within the city of London and the liberties thereof; nor to repeal the duty called gauge, which the said mayor and commonalty and citizens are entitled to receive by virtue of the aforesaid charters, but the same shall remain in force, 3 *G. 4. c. 41. s. 9.* [See *post*, tit. WEIGHTS and MEASURES.]

238. Whereas certain statutes, or parts thereof, relating to the importation and exportation of divers goods, have been heretofore repealed, and it is expedient that the same should be specified in this act; for the more completely effecting the purposes of this act, it is enacted, That the several statutes, and parts thereof, herein-after mentioned, shall remain repealed; that is to say,

14 *R. 2. c. 7.*

239. So much of a statute made in the 14th year of the reign of King Richard the Second, as ordains that the passage of tin out of the realm, shall be at the port of Dartmouth, and no where else.

15 *R. 2. c. 8.*

240. Also, so much of a statute made in the 15th year of the reign of the said King Richard the Second, as concerns the carriage of tin to Calais.

2 *H. 4. c. 6.* [*Stat. Dig. tit. COIN, pl. 7.*]

241. Also, so much of a statute made in the second year of the reign of King Henry the Fourth, as prohibits the bringing in of coin of Flanders or Scot., and other foreign coin.

242. And which parts of the said several statutes are repealed by (21 *J. 1. c. 28. s. 71.*) an act made in the 21st year of the reign of King

James the First, intituled, *An Act for continuing and reviving of divers statutes, and repeal of divers others.*

8 *H. 6. c. 2.*

243. Also, so much of a statute made in the eighth year of the reign of King Henry the Sixth, whereby it was ordained and established, that none of the King's subjects, being Englishmen, should go or repair into any of the parts, lordships, or dominions of the King of Denmark, and which part of the said recited statute was repealed by (1 *H. 8. c. 1.*) an act made in the first year of the reign of King Henry the Eighth, intituled, *An Act for the repealing of a statute for fishing in Iceland.*

5 *H. 7. c. 7.*

244. Also, so much of an act made in the third year of the reign of King Henry the Seventh, intituled, *An Act against merchants carrying of goods from one port to another, without a certificate from the customer where the goods were first entered*; whereby it was ordained and established, that no manner of merchant, denizen, nor stranger, should take upon him to enter or cause to be entered in the books of any customer of any port within the same, any manner of merchandize coming into the realm or going out of the same, in any other merchant's name, save only the name of the merchant owing the same, upon pain of forfeiture of all such goods and merchandizes so entered, and which part of the said recited act is repealed by (1 *H. 8. c. 5.*) an act made in the first year of the reign of King Henry the Eighth, intituled, *An Act for the true payment of the King's customs.*

5 *H. 8. c. 15.*

245. Also, an act made in the third year of the reign of King Henry the Eighth, intituled, *An Act concerning hats and caps.*

21 *H. 8. c. 9.*

246. Also, an act made in the 21st year of the reign of the said King Henry the Eighth, intituled, *An Act limiting the prices of hats and caps brought from beyond the seas*; or, *An Act limiting the prices of woollen hats, bonnets, and caps made beyond the sea, and brought to be sold within this realm.*

1 *M. st. 2. c. 11.*

247. Also, an act made in the first year of the reign of Queen Mary, intituled, *An Act for the sale of hats and caps beyond sea.*

248. And which said three last-mentioned acts are repealed by (1 *Ja. 1. c. 25. s. 7.*) an act made in the first year of the reign of King James the First, intituled, *An Act for continuing and reviving of divers statutes, and for repealing of some others.*

5 *H. 8. c. 7.*

249. Also, an act made in the fifth year of the reign of the said King Henry the Eighth, intituled, *An Act that strangers buy no leather but in open market*, or, *An Act for strangers for buying of leather in open market*, and which act was repealed by (5 *El. c. 3. s. 44.*) an act made in the fifth year of the reign of Queen Elizabeth, intituled, *An Act touching tanners, curriers, shoemakers, and other artificers occupying the cutting of leather.*

21 *H. 8. c. 14.*

250. Also, an act made in the 21st year of the reign of King Henry the Eighth, intituled, *An Act for the linen-draper in London*, which is repealed by (28 *H. 8. c. 4.*) an act made in the 28th year of the reign of the said King Henry the Eighth, intituled, *An Act repealing of the statute lately made, for bringing in of dowlas and lokerams.*

12 *Ed. 4. c. 2. (Ir.)*

251. Also, an act made in the parliament of Ire., in the 12th year of the reign of King Edward the Fourth, intituled, *An Act for bringing bows into this realm, from the realm of Eng., by merchants and others*, (Irish act,) and which was repealed by 10 *C. 1. st. 3. c. 22. (Ir.)* an act made in the parliament of Ire., in the 10th year of the reign of King Charles the First, for repealing the said act of King Edward the Fourth.

28 & 5 *Ed. 6. c. 26.*

252. Also, an act made in the parliament holden in the second and third years of the reign of King Edward the Sixth, intituled, *An Act against the carrying of white ashes out of this realm*, which was repealed by (28 *G. 3. c. 16.*) an act made in the 28th year of the reign of His late Majesty King George the Third, for repealing the said act of King Edward the Sixth.

1 *El. c. 10.*

253. Also, an act made in the first year of the reign of Queen Elizabeth, intituled, *An Act that carrying of leather, tallow, or raw hides out of the realm for merchandize, shall be felony*, and which act was repealed by (18 *El. c. 9.*) an act made in the 18th year of the reign of the said Queen Elizabeth, intituled, *An Act against the transporting of leather, tallow, and raw hides out of the realm.*

1 *J. 1. c. 22. s. 48.*

254. Also, so much of an act, made in the first year of the reign of King James the First, intituled, *An Act concerning tanners, curriers, shoemakers, and other artificers occupying the cutting of leather*; whereby any penalty is imposed on officers of customs permitting the undue exportation of leather, and the whole of which act, of the first year of King James, is repealed by (48 *G. 3. c. 60.*) an act made in the 48th year

of the reign of His late Majesty King *George* the Third, made, among other things, for repealing the said act of King *James* the First.

5 *H. 8. c. 3.*, 27 *H. 8. c. 13.*, and 33 *H. 8. c. 19.*

255. Also, the several acts made in the 5th, 27th, and 33d years of the reign of King *Henry* the Eighth, relating to the exportation of cloths, and which acts were repealed by (50 *G. 3. c. 83.*) an act made in the 50th year of the reign of His late Majesty King *George* the Third, intituled, *An Act to repeal several acts respecting the woollen manufacture, and for indemnifying persons liable to any penalty for having acted contrary thereto.*

3 *Ed. 4. c. 4.*, and 1 *R. 3. c. 12.*

256. Also, the several acts or parts of the statutes made in the third year of the reign of King *Edward* the Fourth, and in the first year of the reign of King *Richard* the Third, and which acts or parts of statutes were repealed, or were intended, or which purport to be repealed by (56 *G. 3. c. 36.*) an act made in the 56th year of the reign of His late Majesty King *George* the Third, intituled, *An Act to repeal two acts passed in the reign of King Edward the Fourth, and King Richard the Third, which prohibit the importation of wrought goods and certain other articles.*

17 *Ed. 3. c. 1. ss. 2, 3.*, 27 *Ed. 5. st. 2. c. 14.*, 38 *Ed. 3. st. 1. c. 2. s. 2.*, 5 *R. 2. st. 1. c. 2. ss. 1—3.*, 17 *R. 2. c. 1.*, 2 *H. 4. c. 5.*, 2 *H. 6. c. 6.*, 4 & 5 *H. 7. c. 23.*, 6 & 7 *W. 3. c. 17. ss. 5, 7, 8, 13.*, and 7 & 8 *W. 3. c. 19. ss. 6—10.*

257. Also, so much and such parts of the statutes made in the 17th, 27th, and 38th years of the reign of King *Edward* the Third, and in the 5th and 17th years of the reign of King *Richard* the Second, and in the second year of the reign of King *Henry* the Fourth, and in the second year of the reign of King *Henry* the Sixth, and in the fourth year of the reign of King *Henry* the Seventh, and in the sixth and seventh, and seventh and eighth years of the reign of King *William* the Third, as relates to the exportation of gold or silver in money, bullion, plate, vessel, mass, or jewel of gold or silver, or molten silver or bullion, and all which are repealed by (59 *G. 3. c. 49. ss. 11, 12.*) an act made in the 59th year of the reign of His late Majesty King *George* the Third, made, among other things, to permit the exportation of gold and silver.

5 *El. c. 7.*, and 12 *C. 2. c. 4. s. 11.*

258. Also, an act made in the fifth year of the reign of Queen *Elizabeth*, intituled, *An Act avoiding divers foreign wares by handicraftsmen beyond the seas*, and also, so much of an act made in the 12th year of the reign of King *Charles* the Second, for a subsidy, as prohibits the shipping, carrying out, and transporting gunpowder, when the price of the same doth exceed 5*l.* per barrel, and which last-mentioned act of Queen *Elizabeth*, and the said recited part of the said act of King *Charles* the Second, were repealed by (59 *G. 3. c. 73.*) an act made in the 59th year of the reign of His late Majesty King *George* the Third.

259. And the said several statutes and acts and parts of statutes and acts so repealed by the said several acts made for repealing the same, shall accordingly be and REMAIN and are hereby declared to be REPEALED, except only so far as they repeal any former act or acts; and all which act or acts so repealed shall be and remain so repealed to all intents and purposes whatsoever, 5 *G. 4. c. 41. s. 10.*

260. To repeal the several laws relating to the customs, 6 *G. 4. c. 105.*

261. Whereas the laws of the customs have become intricate by reason of the great number of the acts relating thereto which have been passed through a long series of years: and whereas it is therefore highly expedient for the interests of commerce and the ends of justice, and also for affording convenience and facility to all persons who may be subject to the operation of those laws, or who may be authorized to act in the execution thereof, that all the statutes now in force relating to the customs should be repealed; and that the purposes for which they have from time to time been made should be secured by new enactments, exhibiting more perspicuously and compendiously the various provisions contained in them: be it enacted, That from and after the 5th July 1826, so much and such parts of the several and respective statutes herein-after mentioned and recited, made in the parliaments of *Eng.* and of *G. B.* respectively, as relates to the trade and navigation of this kingdom, or to the importation and exportation of goods, wares, and merchandize, or as relate to the collection of the revenue of customs or prevention of smuggling, as are herein-after set forth, shall be repealed; that is to say, —

17 *R. 2. c. 5.*

262. So much of an act passed in the 17th year of the reign of King *Richard* the Second, as ordains, that no searcher, gauger of wines, aulneger, finder nor weigher of wools or other merchandizes, collector of customs or subsidies whatsoever, or controller, shall have estate in his office for term of life or of years, but that the said offices shall remain in the King's hands, under the governance of the treasurer for the time

being, with the assent of the council when need is; and if any charters or letters patent be made to the contrary, they shall be clearly admitted void and of none effect; — and also,

1 *H. 4. c. 13.*

263. So much of a statute passed in the first year of the reign of King *Henry* the Fourth, as accords, that customers and controllers in every port of *Eng.* shall be resident upon their offices in their persons, without making any proper deputy or lieutenant in their names; — and also,

4 *H. 4. c. 20.*

264. So much of a statute passed in the fourth year of the reign of King *Henry* the Fourth, as ordains, that customers and controllers in every part of *Eng.* shall abide upon their offices in their proper persons, without making any deputy or lieutenant in their names; and that they shall be sworn to the same from time to time; that the lieutenant of the King's chief butler and the searcher shall be resident in the same manner; and that every customer, upon yielding of his account, shall be sworn by his oath to answer of all manner of profits and commodities for the payment of any assignment; — and also,

4 *H. 4. c. 21.*

265. So much of an act made in the fourth year of the reign of King *Henry* the Fourth, as ordains, that the searcher in every port of *Eng.* shall not let their offices to farm, or occupy them by deputy, nor take of masters of ships for their office of searching any money for their welcome or farewell, nor any other thing for the same, and that no searcher be host to any merchant or mariner; — and also,

11 *H. 4. c. 2.*

266. So much of an act passed in the 11th year of the reign of King *Henry* the Fourth, as ordains, that no man who holdeth a common hostry in any city or borough of *Eng.* shall be a customer, controller, finder, or searcher of the King; — and also,

13 *H. 4. c. 5.*

267. So much of an act passed in the 13th year of the reign of King *Henry* the Fourth, as ordains, that customers and controllers, gaugers of wines, and searchers, through the realm, shall be constantly resident upon their offices; — and also,

3 *H. 6. c. 3.*

268. So much of an act passed in the third year of the reign of King *Henry* the Sixth, as ordains, that if any customer, collector, or controller of the King's customs of cockets of cloths, of subsidies of tonnage or poundage, shall be convicted or attainted of false concealing of the King's custom or subsidy duly entered, paid by any merchant, that then the said customer, collector, or controller shall lose and forfeit treble value of the merchandizes, and make fine and ransom; — and also,

31 *H. 6. c. 5.*

269. So much of an act passed in the 31st year of the reign of King *Henry* the Sixth, as ordains, that no letters patent of any of the offices of searcher, finder, weigher, collector, or controller, shall be made but by warrant of bill sealed by the treasurer of *Eng.* for the time being, sent by him into the chancery; — and also,

5 & 6 *Ed. 6. c. 16.* [*Stat. Dig. tit. OFFICE, &c. pl. 7.*]

270. An act passed in the fifth and sixth years of the reign of *Edward* the Sixth, against buying and selling of offices, so far as regards the revenue of customs or offices in the service of the customs; — and also,

1 *El. c. 11.*

271. An act passed in the first year of the reign of Queen *Elizabeth*, intituled, *An Act limiting the time for laying on land merchandizes from beyond the seas, and touching customs for sweet wines*; — and also,

5 *El. c. 5.* [*Stat. Dig. tit. FISH, pl. 41.*]

272. So much of an act passed in the fifth year of Queen *Elizabeth*, intituled, *An Act touching politic constitutions for the maintenance of the navy*, as enacts, that it shall not be lawful to any person or persons to cause to be loaden and carried in any bottom or bottoms whereof any stranger or strangers born then be owner, of any kind of fish, victual, wares, or things, of what kind or nature soever the same shall be, from one port or creek of this realm to another port of the same; — and also,

13 *El. c. 4.* 27 *El. c. 3.* [*Stat. Dig. tit. EXTENT, pl. 1—15.*]

273. So much of an act made and passed in the 13th year of the reign of Queen *Elizabeth*, intituled, *An Act to make the lands, tenements, goods, and chattels of tellers receivers liable to the payment of their debts*; and also, so much of an act passed in the 27th year of the said reign, intituled, *An Act for the explanation of an act made in the 13th year of the Queen's reign, intituled, "An Act to make the lands, tenements, goods, and chattels of tellers receivers liable to the payment of their debts;"* as make the lands, tenements, goods, and chattels of receivers of H. M.'s customs, liable to the payment of their debts due to the crown; — and also,

7 *J. 1. c. 14.* [*Stat. Dig. tit. ALIEN, pl. 15.*]

274. So much of an act passed in the seventh year of the reign of King *James* the Second, as enacts, that no person or persons whatsoever

shall send *English* horns unwrought over the sea, contrary to the meaning of the said act; — and also,

12 C. 2. c. 4.

275. So much of an act passed in the 12th year of the reign of King Charles the Second, intituled, *A subsidy granted to the King of tonnage and poundage, and other sums of money payable upon merchandizes exported and imported*, as remains unrepealed; — and also,

12 C. 2. c. 18.

276. So much of an act made in the 12th year of the reign of King Charles the Second, intituled, *An Act for the encouraging and increasing of shipping and navigation*, as remains unrepealed; — and also,

12 C. 2. c. 19.

277. An act passed in the 12th year of the reign of King Charles the Second, intituled, *An Act to prevent frauds and concealments of H. M.'s customs and subsidies*; — and also,

13 & 14 C. 2. c. 7.

278. So much of an act passed in the 13th and 14th years of King Charles the Second, intituled, *An Act to restrain the exportation of leather and raw hides out of the realm of Eng.* as regards the exportation of leather and hides out of the kingdom; — and also,

13 & 14 C. 2. c. 11.

279. An act passed in the 15th and 14th years of the reign of King Charles the Second, intituled, *An Act for preventing frauds and regulating abuses in H. M.'s customs*; — and also,

13 & 14 C. 2. c. 13.

280. An act passed in the 13th and 14th years of the said reign of King Charles the Second, intituled, *An Act for prohibiting the importation of foreign bone lace, cut-work, embroidery, fringe, bandstrings, buttons, and needlework*; — and also,

13 & 14 C. 2. c. 19. [Stat. Dig. tit. WOOL, &c. pl. 38.]

281. An act passed in the 13th and 14th years of the said reign, intituled, *An Act against importing foreign wool cards, wyre or iron wyre*; — and also,

15 C. 2. c. 7.

[Stat. Dig. tits. TOBACCO, pl. 1. 3. 6. 14. CATTLE, pl. 3.]

282. So much of an act passed in the 15th year of the said reign, intituled, *An Act for the encouragement of trade*, as remains unrepealed; — and also,

18 C. 2. c. 2. [Stat. Dig. tits. CATTLE, pl. 3. FISH, pl. 57.]

283. An act passed in the 18th year of the said reign, intituled, *An Act against importing cattle from Ire., and other parts beyond the seas, and fish taken by foreigners*; — and also,

22 & 23 C. 2. c. 26. [Stat. Dig. tit. TOBACCO, pl. 1. &c.]

284. So much of an act passed in the 22d and 23d years of the reign of King Charles the Second, intituled, *An Act to prevent the planting of tobacco in Eng., and for regulating the plantation trade*, as in any way relates to the plantation trade in H. M.'s dominions; — and also,

32 C. 2. c. 2. [Stat. Dig. tits. CATTLE, pl. 9. 15. FISH, pl. 59.]

285. An act passed in the 32d year of the reign of King Charles the Second, intituled, *An Act for prohibiting the importation of cattle from Ire.*; — and also,

1 J. 2. c. 8 [Stat. Dig. tit. GUNPOWDER, pl. 4, 5.]

286. An act passed in the first year of the reign of King James the Second, intituled, *An Act against the importation of gunpowder, arms, and other ammunition and utensils of war*; — and also,

1 J. 2. c. 18.

287. An act passed in the first year of the reign of King James the Second, intituled, *An Act to encourage the building of ships in Eng.*; — and also,

1 W. & M. c. 32. [Stat. Dig. tit. WOOL, pl. 45.]

288. So much of an act passed in the first year of the reign of King William and Queen Mary, intituled, *An Act for the better preventing the exportation of wool, and encouraging the woollen manufactures of this kingdom*, as relates to certificates for landing of wool, and as directs that a register be kept at the custom-house, London, of all wool imported from Ire., and of all wool sent from one port to another in this kingdom; — and also,

4 & 5 W. & M. c. 10.

289. An act passed in the fourth and fifth years of the reign of King William and Queen Mary, intituled, *An Act for prohibiting the importation of all foreign hair buttons*; — and also,

4 & 5 W. & M. c. 15.

290. So much of an act passed in the fourth and fifth years of the said reign of King William and Queen Mary, intituled, *An Act for continuing certain acts therein mentioned, and for changing several joint stocks*, as enacts, that all and every person or persons whatsoever, who by way of insurance or otherwise shall undertake or agree to deliver any goods or merchandize whatsoever, to be imported from parts beyond the seas, at any port or place whatsoever within this kingdom of Eng., dominion of Wa., or town of Berwick-upon-Tweed, without paying the

customs and duties that shall be due and payable at the time of importation, or any prohibited goods whatsoever, or in pursuance of such insurance, undertaking, or agreement, shall deliver or cause or procure to be delivered any prohibited goods, or shall deliver or cause or procure to be delivered any goods or merchandize whatsoever, without paying such duties of customs as aforesaid, knowing thereof, and all and every their aiders, abettors, and assistants, shall forfeit and lose the sum of 500*l.*, over and above all other penalties to which they are liable by any acts already in force; and also so much of the said last-mentioned act as enacts, that all and every person or persons whatsoever, who shall agree to pay any sum or sums of money for the insuring or conveying any goods, wares, or merchandizes that shall be so imported, without paying the customs and duties due and payable at the importation thereof, or of any prohibited goods whatsoever, or shall receive or take such prohibited goods into his, her, or their house or warehouse, or other place on land, or such other goods, before such customs and duties are paid, knowing thereof, shall also for every such offence forfeit and lose the sum of 500*l.*; — and also,

6 W. & M. c. 1.

291. So much of an act passed in the sixth year of the reign of King William and Queen Mary, intituled, *An Act for granting to their Majesties a subsidy of tonnage and poundage, and other sums of money payable upon merchandizes exported and imported*, as requires the commissioners and officers of the customs to take oath before the chancellor or chief baron of the exchequer, or master of the rolls for the time being, for the true and faithful execution of the trusts committed to their charge; — and also,

6 & 7 W. 3. c. 7.

292. So much of an act passed in the sixth and seventh years of the reign of King William the Third, intituled, *An Act for granting to H. M. several additional duties upon coffee, tea, chocolate, and spices, towards satisfaction of the debts due for transport service for the reduction of Ire.*, as enacts, that it shall and may be lawful for any person or persons to import into the kingdom of Eng., dominion of Wa., or town of Berwick-upon-Tweed, nutmegs, cinnamon, cloves, mace, and tea, subject to the several duties payable for the same, from any parts beyond the seas, in *English* ships, whereof the master and at least two-thirds of the mariners are *Englishmen*, so as notice be first given to the commissioners of H. M.'s customs of the quantity and quality so intended to be imported, with the name of the ship and master or commander in which they are to be laden, and the place into which they intend to import the same, and taking a licence under the hands of the commissioners or treasurers of the customs for the time being, or any three of them, for the landing and importing thereof; and also so much of the said act as enacts, that it shall and may be lawful for any officer duly employed in the execution of his office, or any extraordinary service not required by law, to take and receive such recompence from the merchant or other person desiring his attendance, as the commissioners of the customs in the port of London, and the collector, customer, and controller in the out-ports, or any two of them respectively, shall determine; — and also,

7 & 8 W. 3. c. 20. [Stat. Dig. tit. FRAMEWORK, pl. 13.]

293. So much of an act passed in the seventh and eighth years of the reign of King William the Third, intituled, *An Act for granting to H. M. an additional duty upon all French goods and merchandize*, as prohibits the exportation of any frame or engine, or part of the same, for making or knitting worsted and silk stockings, waistcoats, gloves, and other wearing apparel; — and also,

7 & 8 W. 3. c. 22.

294. So much of an act passed in the seventh and eighth years of the reign of King William the Third, intituled, *An Act for preventing frauds and regulating abuses in the plantation trade*, as relates to the revenue of customs; — and also,

7 & 8 W. 3. c. 28.

295. So much of an act passed in the seventh and eighth years of the reign of King William the Third, intituled, *An Act for the more effectual preventing the exportation of wool, and for encouraging the importation thereof from Ire.*, as directs an account to be transmitted from Ire. to Eng., once in six months, of all wool exported from thence, and that certificates for landing of wool be written upon paper; — and also,

9 & 10 W. 3. c. 15.

296. So much of an act passed in the 9th and 10th years of the reign of King William the Third, intituled, *An Act for granting to H. M. several duties upon coal and culm*, as in any way relates to the importation, exportation, measuring, shipping, or landing of coals; — and also,

9 & 10 W. 3. c. 23.

297. An act passed in the 9th and 10th years of King William the Third, intituled, *An Act for granting to H. M. a further subsidy of tonnage and poundage, towards raising the yearly sum of 700,000*l.*, for the ser-*

vice of H. M.'s household, and other aids therein mentioned, during H. M.'s life; — and also,

9 & 10 W. 3. c. 28.

298. An act passed in the 9th and 10th years of the reign of King William the Third, intituled, *An Act for the exporting watches, sword-hilts, and other manufactures of silver*; — and also,

9 & 10 W. 3. c. 40.

299. So much of an act passed in the 9th and 10th years of the reign of King William the Third, intituled, *An Act for the explanation and better execution of former acts made against transportation of wool, fullers'-earth, and scouring-clay*, as relates to the buying, selling, loading, or removal of wool within 15 miles of the sea, in the counties of Kent and Sussex; — and also,

10 & 11 W. 3. c. 10.

300. So much of an act passed in the 10th and 11th years of the reign of King William the Third, intituled, *An Act to prevent the exportation of wool out of the kingdom of Ire. and Eng., into foreign parts, and for the encouragement of the woollen manufacture of the kingdom of Eng.*, as remains unrepealed; — and also,

10 & 11 W. 3. c. 24.

[Stat. Dig. tit. FISH, pl. 131—141.]

501. So much of an act passed in the 10th and 11th years of the reign of King William the Third, intituled, *An Act for making Billingsgate a free market for sale of fish*, as enacts, that no fish (except stock-fish and live eels) taken or caught by any foreigners, aliens to this kingdom (except Protestant strangers inhabiting within this kingdom), shall be imported in any foreign ship, vessel, or bottom, under pain of forfeiture of such ship, vessel, or bottom, and of all such fish so imported; — and also,

10 & 11 W. 3. c. 25.

[Stat. Dig. tit. FISHERIES, (Newfoundland,) pl. 204—220.]

502. So much of an act passed in the 10th and 11th years of the reign of King William the Third, intituled, *An Act to encourage the trade to Newfoundland*, as relates to the fishery upon the coast of Newfoundland; — and also,

11 & 12 W. 3. c. 10.

[Stat. Dig. tit. SILK MANUFACTURES, pl. 16.]

503. An act passed in the 11th and 12th years of the reign of King William the Third, intituled, *An Act for the more effectual employing the poor by encouraging the manufactures of this kingdom*; — and also,

1 Ann. c. 26.

504. An act passed in the first year of the reign of Queen Anne, intituled, *An Act for the relief of the masters of hoys and other vessels carrying corn and other inland provisions within the port of London*; — and also,

5 & 4 Ann. c. 5.

505. So much of an act passed in the third and fourth years of the reign of Her late Majesty Queen Anne, intituled, *An Act for granting to Her Majesty a further subsidy on wines and merchandize imported*, as enacts, that all rice and molasses shall be under like securities and penalties restrained to be imported into this kingdom, dominion of Wa., and town of Berwick, as is provided for the goods therein enumerated; — and also,

5 & 4 Ann. c. 8.

506. An act passed in the third and fourth years of the reign of Her late Majesty Queen Anne, intituled, *An Act to permit the exportation of Irish linen cloth to the plantations, and to prohibit the importation of Scotch linen into Ireland*; — and also,

4 Ann. c. 12.

507. So much of an act passed in the fourth year of the reign of Queen Anne, intituled, *An Act for laying further duties on low wines, and for preventing the damage to Her Majesty's revenue by importation of foreign-cut whalebone, and for making some provisions as to the stamp-duties, and the duties on births, burials, and marriages, and the salt-duties, and touching million lottery-tickets, and for enabling Her Majesty to dispose the effects of William Kidd, a notorious pirate, to the use of Greenwich hospital, and for appropriating the public monies granted in this session of parliament*, as enacts, that persons dealing in whalebone, having foreign-cut whalebone (other than in fins regularly imported), shall forfeit 50l.; and that the masters of vessels knowingly importing any cut whale-fins or whalebone shall forfeit 50l.; — and also,

6 Ann. c. 3.

[Stat. Dig. tit. EAST INDIA COMPANY, pl. 88, 89.]

508. An act passed in the sixth year of the reign of Queen Anne, intituled, *An Act for better securing E. I. goods*; — and also,

6 Ann. c. 17.

[Stat. Dig. tit. EAST INDIA COMPANY, pl. 1.]

509. So much of an act passed in the sixth year of the said reign of Queen Anne, intituled, *An Act for assuring to the English company trading to the E. I., on account of the united stock, a longer time in the fund and trade therein mentioned, and for raising thereby the sum of*

1,200,000l. for carrying on the war and other Her Majesty's occasions, as enacts, that upon any importation of any goods or merchandizes by the English company trading to the E. I., it shall and may be lawful for the commissioners and officers of the customs for the time being, to take bond for all such of the customs and duties as shall be chargeable thereon; — and also,

6 Ann. c. 19.

510. So much of an act passed in the sixth year of the reign of Queen Anne, intituled, *An Act for continuing the half subsidies therein mentioned, with several impositions and other duties, to raise money by way of loan, for the service of the war and other Her Majesty's necessary and important occasions, and for charging of prize goods and seizures, and for taking off the drawbacks of foreign cordage, and to obviate the clandestine importation of wrought silks*, as imposes a penalty of 200l. upon persons importing any wrought silk, or silks mixed with gold or silver or any other materials, and as forfeits the said silks, and imposes a penalty of 100l. upon the person in whose custody the same shall be found, or who shall sell or conceal the said silks; — and also,

8 Ann. c. 7.

511. So much of an act passed in the eighth year of the reign of Queen Anne, intituled, *An Act for granting to Her Majesty new duties of excise, and upon several imported commodities, and for establishing a yearly fund thereby, and by other ways and means to raise 900,000l., by sale of annuities, and in default thereof by another lottery, for the service of the year 1710*, as relates to the importation and warehousing of pepper, and to the illegal importation and unshipping of raisins, and other uncustomable or prohibited goods; — and also,

8 Ann. c. 13.

[Stat. Dig. tit. SILK MANUFACTURES, pl. 16. 19.]

512. So much of an act passed in the eighth year of the reign of Queen Anne, intituled, *An Act for continuing several additional impositions and duties upon goods imported, to raise money by way of loan for the service of the year 1710, and for taking off the oversea duty on coals exported in British bottoms, and for the better preventing frauds in drawbacks upon certificate goods, and for ascertaining the duties of corans imported in Venetian ships, and to give further time to foreign merchants for exportation of certain foreign goods imported, and to limit a time for prosecution upon certain bonds given by merchants, and for continuing certain fees of the officers of the customs, and to prevent imbezilments by such officers, and for appropriating the monies granted to Her Majesty, and for replacing monies paid or to be paid for making good any deficiencies on all annuity acts, and for encouragement to raise naval stores in Her Majesty's plantations, and to give further time for registering debentures, as is therein mentioned*, as relates to the clandestine relanding of goods shipped for drawback, or to the allowance of payment of any drawback for tobacco, or as to securities given for the due exportation of wrought silks, or plantation bonds, or as to fees allowed to be taken by officers of the customs, or as to officers embezzling goods; — and also,

8 Ann. c. 19.

[Stat. Dig. tit. LITERARY PROPERTY, (Books) pl. 1.]

513. So much of an act passed in the eighth year of the reign of Queen Anne, intituled, *An Act for the encouragement of learning, by vesting the copies of printed books in the authors or purchasers of such copies during the times therein mentioned*, as relates to the import of books without the consent of the proprietor; — and also,

9 Ann. c. 6.

514. So much of an act passed in the ninth year of the reign of Queen Anne, intituled, *An Act for revising, continuing, and appropriating certain duties upon several commodities to be exported, and certain duties upon coals to be waterborne and carried coastwise, and for granting further duties upon candles for 52 years; to raise 150,000l. by way of lottery, for the service of the year 1711, and for suppressing such unlawful lotteries and such insurance-offices as are therein mentioned*, as directs that security shall be given to the officers of the customs in the respective ports when coals shall be shipped for Ire., the Isle of Man, or any of Her Majesty's plantation; — and also,

9 Ann. c. 11. [Stat. Dig. tit. PARLIAMENT, pl. 195.]

515. So much of an act passed in the ninth year of the reign of Queen Anne, intituled, *An Act for laying certain duties upon hides and skins tanned, tawed, or dressed, and upon vellum and parchment, for the term of 52 years, for prosecuting the war, and other Her Majesty's most necessary occasions*, as relates to the marking of hides or skins to denote the payment of duty, and as relates to the shipping and exportation of hides, skins, or manufactures of leather to foreign parts, and the penalties for relanding the same, and also as relates to the commissioners and officers of H. M.'s customs intermeddling with elections; — and also,

9 Ann. c. 28. [Stat. Dig. tit. COALS, pl. 11, &c.]

516. So much of an act passed in the ninth year of the reign of Queen Anne, intituled, *An Act to dissolve the present and prevent the future combination of coal-owners, lightermen, masters of ships, and others, to advance*

the price of coals, in prejudice of the navigation, trade, and manufactures, of this kingdom, and for the further encouragement of the coal-trade, as enacts, that any ship-master, whose ship is laden with coals only, and has entered into bond to deliver the said coals in some port of G. B., may, upon producing his coast cocquet, and making oath of the true quantity of coals on board his ship (such quantity not being less than is expressed in the said cocquet), before the proper officer of the customs in any port of G. B., pay the custom or oversea duty for such coals, and shall on such payment receive a certificate signed and sealed by the customer and controller of such port, for such duty so paid, which certificate, being given into the custom-house of such port where the coals were laid on board, shall discharge the coast bond;—and also,

10 Ann. c. 19.

317. So much of an act passed in the 10th year of the reign of Queen Anne, intituled, *An Act for laying several duties upon all soap and paper made in G. B., or imported into the same, and upon the chequered and striped linens imported, and upon certain silks, calicoes, linens, and stuffs, printed, painted, or stained, and upon several kinds of stamped vellum, parchment, and paper, and upon certain printed papers, pamphlets, and advertisements; for raising the sum of 800,000*l.* by way of lottery, towards Her Majesty's supply; and for licensing an additional number of hackney-chairs; and for charging certain stocks of cards and dice; and for better securing Her Majesty's duties to arise in the office for the stamp-duties by licences for marriages, and otherwise for the relief of persons who have not claimed their lottery-tickets in due time, or have lost exchequer-bills or lottery-tickets; and for borrowing money upon stock, part of the capital of the South Sea company, for the use of the public, as relates to the import of chequered, striped, printed, painted, stained, and dyed linens, and making of such linens, by the officers of the customs, to denote payment of the duties of the same;—and also,*

10 Ann. c. 29.

318. An act passed in the 10th year of the reign of Queen Anne, intituled, *An Act for better ascertaining and securing the payments to be made to Her Majesty, for goods and merchandizes to be imported from the East Indies and other places within the limits of the charter granted to the E. I. C.*;—and also,

12 Ann. st. 1. c. 16. [*Stat. Dig. tit. SAIL-CLOTH, pl. 10.*]

319. So much of an act passed in the 12th year of the reign of Queen Anne, intituled, *An Act for the better encouragement of making sail-cloth in G. B.*; and which said act was made perpetual by an act passed in the 45th year of the reign of King George the Third, as grants a bounty upon the exportation of British-made sail-cloth or canvas fit for or made into sails, and as imposes a penalty upon the relanding of such sail-cloth;—and also,

12 Ann. st. 2. c. 8.

320. So much of an act passed in the 12th year of the reign of Queen Anne, intituled, *An Act for encouraging the tobacco trade, as enacts, that the commissioners of the customs for the time being shall in all cases where the goods are or shall be brought into Her Majesty's storehouses, which shall have remained there for the space of 12 months, the subsidy and other duties not paid or compounded for or otherwise secured, to be publicly sold by auction, and after sale the produce to be applied first towards payment of freight, primage, and charges of warehouse room, and other charges that shall arise thereon, next the customs and duties, and the overplus to be paid to the proprietor or other persons authorized to receive the same; and also as enacts, that all such collectors, surveyors, or other officers of the customs, who are or have been or shall hereafter be deputed or appointed, shall be deemed to remain and continue in the respective offices and employment, notwithstanding the death or removal of any of the commissioners of the customs who appointed them;—and also,*

12 Ann. c. 18. [*Stat. Dig. tit. WRECK, pl. 4—13.*]

321. So much of an act passed in the 12th year of the reign of Queen Anne, intituled, *An Act for the preserving all ships and goods thereof which shall happen to be forced on shore or stranded upon the coasts of this kingdom, or any other of Her Majesty's dominions, as relates to the revenue of customs;—and also,*

1 G. 1. st. 2. c. 12.

322. So much of an act passed in the first year of the reign of King George the First, intituled, *An Act for enlarging the fund of the governor and company of the bank of Eng. relating to exchequer bills; and for settling an additional revenue of 120,000*l.* per ann. upon H. M. during his life, for the service of the civil government; and for establishing a certain fund of 54,600*l.* per ann., in order to raise a sum not exceeding 910,000*l.*, for the service of the public, by sale of annuities, after the rate of 6*l.* per cent. per ann., redeemable by parliament; and for satisfying an arrear for work and materials at Blenheim, incurred whilst that building was carried on at the expence of Her late Majesty Queen Anne, of blessed memory, and for the purposes therein mentioned, as enacts, that all the monies which from and after the feast of St. Michael the Archangel, in the year of our Lord 1715, shall arise by duties, which in and by an act*

of parliament made and passed in the 25th year of the reign of King Charles the Second, of blessed memory, intituled, *An Act for the encouragement of the Greenland and Eastland trade*, were granted to H. M., his heirs and successors, for ever, commonly called the plantation duties, (the necessary charges of raising and paying the same excepted,) shall also be lent and paid from time to time into the said receipt of exchequer, for the purpose in this act expressed, and be liable to such redemption as is herein-after prescribed in that behalf;—and also,

1 G. 1. c. 28.

323. So much of an Act passed in the first year of the reign of King George the First, intituled, *An Act for the better preventing fresh fish taken by foreigners being imported into this kingdom, and for the preservation of the fry of fish, and for the giving leave to import lobsters and turbot in foreign bottoms, and for the better preservation of salmon within several rivers in that part of this kingdom called Eng.*, as enacts, that no herring, cod, pilchards, salmon, ling, fresh or salted, dried or bloated, nor any gull, mackarel, whiting, haddock, sprats, coal-fish, gull-fish, congers, nor any sort of flat fish, nor any other sort of fresh fish whatsoever, shall be imported into or sold or exposed to sale in that part of this kingdom called Eng., which shall be taken by, bought of, or received from any foreigner or stranger, or out of any stranger's bottom, except protestant strangers inhabiting within this kingdom, nor shall any person give or exchange any goods or other things in exchange for any sort of fish taken as aforesaid; and also as imposes a penalty upon every master or commander of any ship importing such fish;—and also,

5 G. 1. c. 4.

324. So much of an act passed in the third year of the reign of King George the First, intituled, *An Act for continuing the duties on malt, mum, cyder, and perry, for the service of the year 1717; and to authorize allowances to be made to certain receivers; and to obviate a doubt concerning goods for the islands of Jersey, Guernsey, Sark, and Alderney; and to ascertain the duties upon sheep-skins and lamb-skins; and to prevent frauds in the duties upon starch; and for making forth duplicates of exchequer bills, lottery-tickets, and orders, lost, burnt, or destroyed; and for enlarging the time for adjusting claims in several lotteries; and for preventing frauds in the duties on low wines and spirits carried coastwise, as enacts, that the inhabitants of Jersey, Guernsey, Sark, and Alderney, shall and may, with and under certain certificates and oaths, import into any lawful port of G. B., any goods, wares, and merchandizes of the growth, produce, and manufacture of the said island or either of them, without paying any customs, subsidies, or duties for or in respect thereof;—and also,*

5 G. 1. c. 11.

[*Stat. Dig. tits. FRAUDS, pl. 22. TOBACCO, pl. 26.*]

325. An act passed in the fifth year of the reign of King George the First, intituled, *An Act against clandestine running of uncustomed goods, and for the more effectual prevention of frauds relating to the customs; which said act was made perpetual by an act passed in the fiftieth year of the reign of King George the Third;—and also,*

6 G. 1. c. 11.

326. So much of an act passed in the sixth year of the reign of King George the First, intituled, *An Act for laying a duty upon wrought plate; and for applying the money arising from the clear produce (by sale of the forfeited estates) towards answering H. M.'s supply; and for taking off the drawbacks upon hops exported to Ire.; and for payment of annuities to be purchased after the rate of 4*l.* per cent. per ann. at the exchequer, redeemable by parliament; and for appropriating supplies granted in this session of parliament; and to prevent counterfeiting receipts and warrants of the officers of the South Sea Company; and for explaining a late act concerning foreign salt cellared and locked up before the 24th of June 1719; and to give a further time for paying duties on certain apprentice indentures; and for relief of Thomas Vernon, Esq., in the year 1716, as relates to the importation and exportation of plate, and the duties and drawbacks thereon;—and also,*

6 G. 1. c. 12.

327. So much of an act passed in the sixth year of the reign of King George the Third, intituled, *An Act for preventing frauds and abuses in the allowance on damaged wines, and for lengthening the time for the drawbacks on the exportation of wines, as allows damaged or unmerchantable wines to be staved or destroyed after landing, and the duties to be repaid, and as allows a compensation upon such goods for freight and other charges;—and also,*

6 G. 1. c. 21.

328. So much of an act passed in the sixth year of the reign of King George the First, intituled, *An Act for preventing frauds and abuses in the public revenue of excise, customs, stamp-duties, post-office, and house-money, as enacts, that if any foreign brandy or spirits of any kind whatsoever shall be imported or brought into G. B., in any ship, vessel, or boat of the burthen of 50 tons or under (except for the use of the seamen, not exceeding one gallon for each seaman), all such brandy or other spirits, together with the ship, vessel, or boat, shall be forfeited;*

and also so much of the said act as empowers commanders of men-of-war, frigates, or armed sloops, and officers of the customs, to compel masters of ships laden with brandy, hovering within two leagues of the shore, to come into port; and also so much of the said act as enacts, that if any master or person having charge of any ship or vessel shall suffer any brandy or other uncustomed or prohibited goods to be put out of the said ship or vessel into any hoy, lighter, boat, or bottom, to be laid on land, or shall suffer any wool, woollfells, mortlings, shortlings, yarn made of wool, wool-flocks, fullers'-earth, fulling-clay, or tobacco-pipe clay, to be laden or taken in from the shore, to be put on board such ship or vessel to be carried to parts beyond the seas, shall, besides the penalties and forfeitures to which they shall be liable, suffer six months' imprisonment without bail or mainprize; and also so much of the said act as enacts that if any officer or officers of the customs be forcibly hindered, wounded, or beaten, in the due execution of their office, by any person armed with clubs or any manner of weapon, tumultuously assembled in the day or night to the number of eight or more persons, all and every person or persons so forcibly hindering, wounding, or beating the said officer or officers, or such as shall act in their aid or assistance, being convicted thereof, shall by advice of the court before whom such offender or offenders shall be convicted, be transported to some of H. M.'s colonies and plantations for such term as the court shall think fit, not exceeding seven years; and also so much of the said act as authorizes officers of the customs to stop and put prohibited or uncustomed goods into H. M.'s warehouse, there to remain until the claimer shall satisfy the commissioners of H. M.'s customs with respect to the same; and also so much of the said act as forfeits spices found on board ships in bags or other parcels packed in hogsheads, casks, or bales;—and also,

7 G. 1. st. 1. c. 21.

[Stat. Dig. tit. EAST INDIA COMPANY, pl. 97—102.]

329. So much of an act passed in the seventh year of the reign of King George the First, intituled, *An Act for the further preventing H. M.'s subjects from trading to the E. I. under foreign commissions, and for encouraging and further securing the lawful trade thereto, and for further regulating the pilots of Dover, Deal, and the Isle of Thanet*, as prohibits the importation into Jersey, Guernsey, Alderney, Sark, or Man, or into any land, island, plantation, colony, territory, or place, to H. M. or to the crown of G. B. belonging, or which shall hereafter belong to H. M., his heirs or successors, in Africa or America, of any commodity of the growth, product, or manufacture of the E. I., and other places beyond the Cape of Good Hope, but such only as shall *bonâ fide* and without fraud be laden and shipped in G. B., in ships navigated according to the laws then in being; and also so much of the said act as allows merchants and traders exporting foreign goods for drawbacks to have three years' time from the importation of such goods for that purpose, accounting such importation from the master's report of his ship;—also,

8 G. 1. c. 15.

330. So much of an act passed in the eighth year of the reign of King George the First, intituled, *An Act for the encouragement of the silk manufacturers of this kingdom, and for taking off several duties on merchandize exported, and for reducing the duties upon beaver-skins, pepper, mace, cloves, and nutmegs imported, and for the importation of all furs of the product of the British plantations into this kingdom only, and that the two corporations of assurance, of any suit brought on their policies, shall be liable only to single damages and costs of suit*, and which said act was in part made perpetual by an act passed in the 49th year of the reign of King George the Third, as relates to allowances to be paid upon the exportation of the silk manufactures of this kingdom, or upon the manufacturers of silk mixed with any other materials, or as imposes any penalty or forfeiture upon the shipment or relanding of such goods; and also so much of the said recited acts as enacts, that all beaver-skins and other furs of the product of the British plantations in America, Asia, or Africa, shall be imported directly from thence into G. B., and laid on shore there and not elsewhere;—and also,

8 G. 1. c. 18.

[Stat. Dig. tit. BOATS, pl. 1. 3. 5. 11.]

331. So much of an act passed in the eighth year of the reign of King George the First, intituled, *An Act to prevent the clandestine running of goods, and the danger of infection thereby, and to prevent ships breaking their quarantine, and to subject copper ore of the production of the British plantations to such regulations as other enumerated commodities of the like production are subject*; and which said act was in part made perpetual by an act passed in the 49th year of the reign of King George the Third, as relates to the importation of foreign brandy and other spirits in vessels of less burthen than 40 tons; and as relates to the forfeiture of boats rowing with more than four oars above or below London bridge, or within the limits of the ports of London, Sandwich, or Ipswich, or the members or creeks to them or either of them respectively belonging; and also as relates to persons passing with foreign goods landed

without entry, and being more than five in number, resisting officers of the customs or excise in the seizing or securing any sort of run goods or commodities; and also as imposes a penalty upon persons receiving or buying any run goods, or being clandestinely concerned in the running of such goods; and also as directs the mode in which seizures of vessels and boats are to be proceeded upon and dealt with; and also so much of the said act as forfeits goods removed from one part of G. B. into another, and landed before delivery of the cocquet to the proper officer, and as forfeits foreign goods landed without the presence of an officer of the customs; and also as relates to the allowance for freight on wine staved, spilt, or otherwise destroyed, or on wine stranded; and as relates to the importation of copper ore, the produce of the British plantations; and also as regards the penalty imposed on persons resisting officers of the customs and excise in the due execution of their duty;—and also,

9 G. 1. c. 21.

332. So much of an act passed in the ninth year of the reign of King George the First, intituled, *An Act for enabling H. M. to put the customs of G. B. under the management of one or more commissioners; and for the better securing and ascertaining the duties on tobacco; and to prevent frauds in exporting tobacco and other goods and merchandize, or carrying the same coastwise*, as enacts, that if any tobacco or other foreign goods or merchandizes shall be taken on board any coasting vessel in parts beyond the seas, or out of any ship or vessel at sea, or at any other port or place of this kingdom, other than the port or place from whence such goods shall be certified, that the said goods and double the value thereof shall be forfeited, and the master of the coasting ship shall forfeit the value of the said tobacco or other goods;—and also,

11 G. 1. c. 30.

333. So much of an act passed in the 11th year of the reign of King George the First, intituled, *An Act for the more effectual preventing frauds and abuses in the public revenue; for preventing frauds in the salt duties, and for giving relief for salt used in the curing of salmon and cod fish, in the year 1719, exported from that part of G. B. called Scot.; for enabling the insurance companies to plead the general issue in actions brought against them; and for securing the stamp-duties upon policies of insurance*, as enacts that no tea whatsoever shall be imported from any place whatsoever, other than the place of its growth; and also so much of the said act as forfeits run and prohibited goods for being harboured, kept, or concealed, and imposes a penalty of treble the value of the said goods upon the person or persons who shall harbour, keep, or conceal the same; and also as forfeits goods offered for sale as prohibited or run goods, and imposes a penalty upon the seller or buyer of such goods; and as to the proof required, upon trial of an information relating to H. M.'s customs or excise, of any person being an officer of the customs or excise;—and also,

12 G. 1. c. 28. [Stat. Dig. tit. BOATS, pl. 28.]

334. So much of an act passed in the 12th year of the reign of King George the First, intituled, *An Act for the improvement of H. M.'s revenue of customs, excise, and inland duties*, as relates to the sale of tea and other forfeited goods, which have been seized by officers of the customs and excise, and as to the rewards to be paid to the said officers on account thereof; and also, so much of the said act as restrains officers of the customs and excise from dealing or trading in tea or coffee, or brandy, or other exciseable liquors; and also so much of the said act as throws the *onus probandi* for seized goods upon the claimant, and not upon the seizing officer; and also as enacts, that such tobacco seized for being prohibited, or non-payment of duties, as will not sell for the duties, may be burnt, and the officers rewarded for the same; and as prohibits the importation of tobacco stalks; and also so much of the said act as enacts, that it shall be lawful for the commissioners of H. M.'s customs to cause seized vessels to be used in H. M.'s service, the officer being first paid his share of the same; and also as to justices administering oaths with respect to seizures made by officers of the customs, in order to ascertain the value; and also as to the examination of goods entered for drawback, bounty, or premium, or of prohibited goods, and goods shipped for exportation without warrant, or the presence of an officer; and also as to goods brought into H. M.'s warehouses for security of the duties; and also as to damaged wines being distilled into brandy, or made into vinegar; and to the importation and exportation of goods to and from the Isle of Man; and also as to the filing of any information for any penalty by the laws of the customs, or making compositions for the same;—and also,

1 G. 2. c. 17.

335. So much of an act passed in the first year of the reign of King George the Second, intituled, *An Act for repealing the present duties on wine lees and lignum vitæ, and laying new duties on wine lees, and for prohibiting the importation of wine in flasks, bottles, or small casks, and for preventing frauds in exporting silk manufactures, and for supplying the want of regular certificates of such manufactures being landed in foreign parts where such certificates cannot be had, and for giving further*

time to clerks and apprentices to pay duties omitted to be paid for their indentures and contracts, as relates to the importation of wines in flasks or bottles, or vessels containing less than 25 gallons; and also as relates to the prevention of frauds in the exportation of silk manufactures and to the discharge of bonds given for the due exportation of the same;— and also,

2 G. 2. c. 28. [Stat. Dig. tit. ACTION, pl. 7, 8.]

336. So much of an act passed in the second year of the reign of King George the Second, intituled, *An Act to revive the laws therein mentioned, relating to the importation of foreign brandy and other waters and spirits, for importation of cochineal, to continue several acts for preventing frauds in the customs, for the encouragement of the silk manufactures of this kingdom, for making copper ore of the British plantations an enumerated commodity, for making perpetual an act therein mentioned for the suppression of piracy, for enabling persons prosecuted upon the capias, in relation to the running of goods, to defend in forma pauperis, for more effectually debarring of the unlawful games, for licensing retailers of brandy and other distilled liquors, and for better regulating licences for common inns and ale-houses, as allows persons arrested and imprisoned by virtue of a writ of capias or information relating to the customs, to defend the action or information in forma pauperis*;— and also,

2 G. 2. c. 35.

337. So much of an act passed in the second year of the reign of King George the Second, intituled, *An Act for the better preservation of H. M.'s woods in America, and for the encouragement of naval stores from thence, and to encourage the importation of masts, yards, and bowsprits from that part of G. B. called Scot., as remains unrepealed*;— and also,

4 G. 2. c. 30.

338. So much of an act passed in the fourth year of the reign of King George the Second, intituled, *An Act for rendering more effectual an act made in the third year of H. M.'s reign, intituled, 'An Act for the better regulation of the coal-trade,' so far as the same relates to the preventing the inhancing the price of coals in the river Thames, by keeping of turn in delivering of coals there, as enacts that the master of every ship or vessel loaded with coals, or other person having the care thereof shall deliver or cause to be delivered to the proper officer of the customs at the port of London, the coquets containing the lading of such ships or vessels, within the space of four days after the arrival of such ship or vessel as high as Gravesend in the river Thames*;— and also,

5 G. 2. c. 22. [Stat. Dig. tit. HATS AND CAPS, pl. 1.]

339. So much of an act passed in the fifth year of the reign of King George the Second, intituled, *An Act to prevent the exportation of hats out of any of H. M.'s colonies or plantations in America, and to restrain the number of apprentices taken by the hat-makers in the said colonies or plantations, and for the better encouraging the making of hats in G. B., as relates to the transportation of hats or felts from any of the plantations in America*;— and also,

5 G. 2. c. 24.

340. So much of an act passed in the fifth year of the reign of King George the Second, intituled, *An Act for encouraging the growth of coffee in H. M.'s plantations in America; and which said act was in part made perpetual by an act passed in the 49th year of the reign of King George the Third, as relates to the oath of the planter or his agent previously to the shipment of any coffee on board any vessel, and to the oath of the commander of the vessel as to the receipt thereof*;— and also,

6 G. 2. c. 13.

341. An act passed in the sixth year of the reign of King George the Second, intituled, *An Act for the better securing and encouraging the trade of H. M.'s sugar colonies in America*;— and also,

6 G. 2. c. 17.

342. So much of an act passed in the sixth year of the reign of H. M. King George the Second, intituled, *An Act for repealing an act for laying a duty on compound waters or spirits, and for licensing the retailers thereof; and for determining certain duties on French brandy, and for granting other duties in lieu thereof; and for enforcing the laws for preventing the running of brandies, as imposes a penalty upon officers of the customs who shall neglect to seize and prosecute vessels, boats, horses, or other cattle or carriages forfeited for the running of brandies*;— and also,

7 G. 2. c. 19. [Stat. Dig. tit. HOPS, pl. 6.]

343. So much of an act passed in the seventh year of the reign of King George the Second, intituled, *An Act for the more effectual preventing the clandestine importation of foreign hops into G. B. and Ire.; and to prevent the adulterating or sophisticating of hops to alter the colour or scent thereof, as relates to the importation, unshipping, or landing of foreign hops*;— and also,

9 G. 2. c. 33. [Stat. Dig. tit. FISH, pl. 60, 63, 64.]

344. So much of an act passed in the ninth year of the reign of King George the Second, intituled, *An Act to render the law more effectual*

for preventing the importation of fresh fish taken by foreigners; and to explain so much of an act made in the 13th and 14th years of the reign of King Charles the Second, as relates to ships exporting fish to the ports of the Mediterranean sea; and for the better preservation of the fry of lobsters on the coast of Scot., as imposes the penalty of 100*l.* upon persons importing fish contrary to an act passed in the first year of the reign of King George the First, and the penalty of 50*l.* upon the master or commander of any vessel in which such fish shall be imported;— and also,

9 G. 2. c. 35.

345. An act passed in the ninth year of the reign of King George the Second, intituled, *An Act for indemnifying persons who have been guilty of offences against the laws made for securing the revenues of the customs and excise, and for enforcing those laws for the future*;— and also,

9 G. 2. c. 37. [Stat. Dig. tit. SAIL-CLOTH, pl. 13.]

346. So much of an act passed in the ninth year of the reign of King George the Second, intituled, *An Act for further encouraging and regulating the manufactures of British sail-cloth, and the more effectual securing the duties now payable on foreign sail-cloth imported into this kingdom, as requires certain vessels to have a complete suit of sails of British sail-cloth*;— and also,

15 G. 2. c. 20.

[Stat. Dig. tit. GOLD AND SILVER, pl. 61, &c.]

347. So much of an act passed in the 15th year of the reign of King George the Second, intituled, *An Act to prevent the counterfeit of gold and silver lace; and for settling and adjusting the proportions of fine silver and silk; and for the better making of gold and silver thread, as regards the importation of gold or silver thread, lace, fringe, or any other work made thereof, or any thread, lace, fringe, or other work made of copper, brass, or any other inferior metal, or gold or silver wire, or plate*;— and also,

15 G. 2. c. 31.

[Stat. Dig. tit. SILK MANUFACTURES, pl. 21, 26, 27.]

348. So much of an act passed in the 15th year of the reign of King George the Second, intituled, *An Act for further regulating the plantation trade; and for relief of merchants importing prize goods from America, and for the preventing collusive captures there; and for obliging claimers of vessels seized for exportation of wool, or any unlawful importation, to give security for costs; and for allowing E. I. goods to be taken out of warehouses in order to be cleaned and refreshed, as relates to the condition of plantation bonds, and also as relates to the taking out of warehouses E. I. goods for the purpose of being cleaned and refreshed*;— and also,

18 G. 2. c. 24.

349. So much of an act passed in the 18th year of the reign of King George the Second, intituled, *An Act for effectually preventing the exportation of foreign linens under the denomination of British and Irish linens, as relates to the payment of bounty upon the exportation of British or Irish linens*;— and also,

18 G. 2. c. 26.

350. So much of an act passed in the 18th year of the reign of King George the Second, intituled, *An Act for repealing the present inland duty of 4*s.* per pound weight upon all tea sold in G. B., and for granting H. M. certain other inland duties in lieu thereof; and for better securing the duty upon tea and other duties of excise; and for pursuing offenders out of one country into another, as relates to the importation of tea from Europe*;— and also,

19 G. 2. c. 27. [Stat. Dig. tit. SAIL-CLOTH, pl. 24—28.]

351. So much of an act passed in the 19th year of the reign of King George the Second, intituled, *An Act for the more effectually securing the duties now payable on foreign-made sail-cloth imported into this kingdom, and for the charging all foreign-made sails with a duty; and for explaining a doubt concerning ships being obliged at their first setting out to sea, to be furnished with one complete set of sails made of British sail-cloth; which said act was made perpetual by an act passed in the fourth year of the reign of King George the Third, as relates to the importation, entry, and payment of duty upon foreign-made sails, and to the stamping of sails or sail-cloth, and as compels ships built in G. B., or in H. M.'s plantations in America, to be furnished with a set of new sails made of sail-cloth manufactured in G. B., upon being first navigated*;— and also,

19 G. 2. c. 30.

352. So much of an act passed in the 19th year of the reign of King George the Second, intituled, *An Act for the better encouragement of the trade of H. M.'s sugar colonies in America, as relates to the lists of men to be delivered to officers of the customs*;— and also,

19 G. 2. c. 34.

353. An act passed in the 19th year of the reign of King George the Second, intituled, *An Act for the further punishment of persons going armed or disguised in defiance of the laws of customs or excise, and for indemnifying offenders against those laws upon the terms in this act men-*

tioned; and for relief of officers of the customs in informations upon seizures: which said act was in part made perpetual by an act passed in the 43d year of the reign of King George the Third;—and also,

22 G. 2. c. 36.

354. An act passed in the 22d year of the reign of King George the Second, intituled, *An Act for the more effectual preventing the importation and wear of foreign embroidery and brocade, and of gold and silver thread, lace, or other work made of gold or silver wire manufactured in foreign parts*;—and also,

22 G. 2. c. 37.

355. An act passed in the 22d year of the reign of King George the Second, intituled, *An Act for the better securing H. M.'s duties arising upon coals, culm, and cinders exported beyond sea*;—and also,

23 G. 2. c. 13. [Stat. Dig. tit. MANUFACTURES, pl. 84, &c.]

356. So much of an act passed in the 23d year of the reign of King George the Second, intituled, *An Act for the effectual punishing of persons convicted of seducing artificers in the manufactures of G. B. or Ire. out of the dominions of the crown of G. B., and to prevent the exportation of utensils made use of in the woollen and silk manufacture from G. B. or Ire. into foreign parts; for the more easy and speedy determination of appeals allowed in certain cases by an act made in the last sessions of parliament, relating to persons employed in the several manufactures therein mentioned, as relates to the exportation of tools or utensils commonly used in or proper for the preparing, working, and finishing of the woollen or silk manufactures of this kingdom*;—and also,

23 G. 2. c. 21.

357. So much of an act passed in the 23d year of the reign of King George the Second, intituled, *An Act for granting to H. M. the sum of 900,000*l.* out of the sinking fund, for the service of the year 1750, and for applying certain surplus monies remaining in the exchequer as part of the supply of the said year; and for the application of certain savings in the hands of the paymaster-general; and for obviating a doubt in an act of the fifth year of the reign of King George the First, in respect of payment of certain annuities thereby granted for the improvement of fisheries and manufactures in Scot.; and for the further appropriating the supplies granted this session of parliament; and for giving further time for the payment of duties omitted to be paid for the indentures and contracts of clerks and apprentices; and for transferring the bounties now payable upon the exportation of British sail-cloth to the customs; and for enforcing the laws against the clandestine importation of soap, candles, and starch into this kingdom, so far as regards the payment of the bounty on British sail-cloth, and so far as restricts the importation of candles, soap, and starch to packages containing at least 224 lbs. weight of neat candles, soap, or starch, and that the same shall be openly stowed in the hold of the ship or vessel importing the same; and also so much of the said act as requires the sufferance, cocquet, or transire, granted for the removal coastwise of candles, soap, or starch, to express the quantity, quality, and weight of the same*;—and also,

23 G. 2. c. 29.

358. So much of an act passed in the 23d year of the reign of King George the Second, intituled, *An Act to encourage the importation of pig or bar iron from H. M.'s colonies in America; and to prevent the erection of any mill or other engine for slitting or rolling of iron, or any plateing-forging to work with a tilt-hammer, or any furnace for making steel, in any of the said colonies, as relates to the exporting or carrying bar iron coastwise*;—and also,

24 G. 2. c. 51.

359. So much of an act passed in the 24th year of the reign of King George the Second, intituled, *An Act for encouraging the making of pot-ashes and pearl-ashes in the British plantations in America, as imposes a penalty upon persons making an entry of any foreign pot-ashes or pearl-ashes under the name or description of pot-ashes or pearl-ashes of the production of any of the British colonies or plantations in America, or of mixing the same*;—and also,

26 G. 2. c. 19. [Stat. Dig. tit. WRECK, pl. 16—36.]

360. So much of an act passed in the 26th year of the reign of King George the Second, intituled, *An Act for enforcing the laws against persons who shall steal or detain shipwrecked goods, and for the relief of persons suffering losses thereby, as relates to the revenue of customs*;—and also,

26 G. 2. c. 21.

361. An act passed in the 26th year of the reign of King George the Second, intituled, *An Act for encouraging the silk manufacture of this kingdom, and for securing the duties payable upon the importation of velvets, wrought silks, and silks mixed with other materials, not manufactured in G. B.*;—and also,

28 G. 2. c. 21.

362. An act passed in the 28th year of the reign of King George the Second, intituled, *An Act for making more effectual the laws prohibiting the importation of spirituous liquors in casks or vessels not containing*

60 gallons, and of tea above the quantity of six pounds, found on board any ship or vessel not belonging to or employed by the E. I. C.;—and also,

29 G. 2. c. 15.

363. An act passed in the 29th year of the reign of King George the Second, intituled, *An Act for granting a bounty upon certain species of British and Irish linens exported, and taking off the duties on the importation of foreign raw linen made of flax*; and which said act has been continued by an act passed in the third year of the reign of His present Majesty, so long as bounty is payable upon Irish linen exported from Ire.;—and also,

29 G. 2. c. 16. [Stat. Dig. tit. GUNPOWDER, pl. 6—12.]

364. An act passed in the 29th year of the reign of King George the Second, intituled, *An Act to empower H. M. to prohibit the exportation of saltpetre, and to enforce the law for empowering H. M. to prohibit the exportation of gunpowder or any sort of arms or ammunition; and also to empower H. M. to restrain the carrying coastwise saltpetre, gunpowder, or any sort of arms or ammunition*;—and also,

32 G. 2. c. 32.

365. An act passed in the 32d year of the reign of King George the Second, intituled, *An Act for the more effectual preventing the fraudulent importation of cambricks and French lawns*;—and also,

33 G. 2. c. 28.

366. So much of an act passed in the 33d year of the reign of King George the Second, intituled, *An Act for the encouraging, the exportation of rum and other spirits, of the growth, production, and manufacture of the British sugar plantations, from this kingdom, and of British spirits made from molasses, as relates to the exportation of rum, and the penalties imposed for relanding the same*;—and also,

2 G. 3. c. 24.

367. An act passed in the second year of the reign of King George the Third, intituled, *An Act for importing salt from Europe into the colony of Nova Scotia in America*;—and also,

3 G. 3. c. 21.

368. An act passed in the third year of the reign of King George the Third, intituled, *An Act for explaining, amending, and rendering more effectual an act made in the 19th year of the reign of King Henry the Seventh, intituled, 'silk works'*;—and also,

3 G. 3. c. 22.

369. An act passed in the third year of the reign of King George the Third, intituled, *An Act for the further improvement of H. M.'s revenue of customs, and for the encouragement of officers making seizures, and for prevention of the clandestine running of goods into any part of H. M.'s dominions*;—and also,

4 G. 3. c. 19.

370. An act passed in the fourth year of the reign of King George the Third, intituled, *An Act for importing salt from Europe into the province of Quebec in America for a limited time*; which said act was made perpetual by 48 G. 3. c. 22.;—and also,

5 G. 3. c. 1.

371. An act passed in the fifth year of the reign of King George the Third, intituled, *An Act for the importation of salt beef, pork, bacon, and butter from Ire. for a limited time*; which said act was made perpetual by 10 G. 3. c. 2.;—and also,

5 G. 3. c. 10. [Stat. Dig. tit. CATTLE, pl. 3. 18—20.]

372. An act passed in the fifth year of the reign of King George the Third, intituled, *An Act to permit the free importation of cattle from Ire.*; which said act was made perpetual by 10 G. 3. c. 8.;—and,

5 G. 5. c. 30.

373. So much of an act passed in the fifth year of the reign of King George the Third, intituled, *An Act for more effectually supplying the export trade of this kingdom to Africa with such coarse printed calicoes and other goods, of the product or manufacture of the East Indies or other places beyond the Cape of Good Hope, as are prohibited to be worn or used in G. B.; for encouraging the importation of bugles into this kingdom; for the better supply of the export trade thereof, and for discontinuing the bounty payable in G. B., and all bounties and allowances in Ire., upon the exportation of corn, grain, malt, meal, and flour from thence to the Isle of Man, as relates to the importation and warehousing of bugles*;—and also,

5 G. 3. c. 37.

374. An act passed in the fifth year of the reign of King George the Third, intituled, *An Act for laying certain duties upon gum-senega and gum-arabic imported into or exported from G. B., and for confining the exportation of gum-senega from Africa to G. B. only*;—and also,

5 G. 3. c. 39.

375. An act passed in the fifth year of the reign of King George the Third, intituled, *An Act for more effectually preventing the mischief arising to the revenue and commerce of G. B. and Ire. from the illicit and clandestine trade to and from the Isle of Man*;—and also,

5 G. 3. c. 43.

376. So much of an act passed in the fifth year of the reign of King M m

George the Third, intituled, *An Act for the better securing and further improvement of the revenues of customs, excise, and inland duties, and for encouraging the linen manufacture of the Isle of Man, and for allowing the importation of several goods, the produce and manufacture of the said island, under certain restrictions and regulations, as relates to unentered goods found concealed in any package or merchandize sent to the King's store-houses; and also as relates to damaged wines; and also as relates to the importation into G. B. of tobacco-stalks or stems stript from the leaf; and also as relates to the proceedings against any persons by *capias* or otherwise, or against any vessel, cattle, or carriage forfeited by the said act or any other act; or as relates to the importation of bestials and other goods, the growth and manufacture of the Isle of Man, and the bounties payable upon the importation of British and Irish linens; or as relates to the importation of spirits, or the allowance of drawbacks or bounties on goods exported to the islands of *Faro* or *Ferro*, and to the exportation of prohibited or other goods to the said islands; and also as relates to the importation of coffee in less packages than 112lbs. weight, and to vessels hovering within certain distances of the coast, and to the shares to be paid to officers for making seizures, and the mode of prosecuting such seizures;—and also,*

5 G. 3. c. 45.

377. An act passed in the fifth year of the reign of King George the Third, intituled, *An Act for more effectually securing and encouraging the trade of H. M.'s American dominions; for repealing the inland duty on coffee, imposed by an act made in the 32d year of His late Majesty King George the Second, and for granting an inland duty on all coffee imported (except coffee of the growth of the British dominions in America); for altering the drawbacks upon sugars exported; and for repealing part of an act made in the 23d year of His said late Majesty, whereby bar iron made in the said dominions was prohibited to be exported from G. B., or carried coastwise; and for regulating the fees of the officers of the customs in the said dominions;—and also,*

5 G. 3. c. 48.

378. An act passed in the fifth year of the reign of King George the Third, intituled, *An Act for prohibiting the importation of foreign manufactured silk stockings, silk mitts, and silk gloves, into G. B. and the British dominions; and for rendering more effectual an act passed in the third year of the reign of His present Majesty, for explaining, amending, and rendering more effectual an act made in the 19th year of the reign of King Henry the Seventh, intituled, 'silk works;'*—and also,

6 G. 3. c. 19.

379. An act passed in the sixth year of the reign of King George the Third, intituled, *An Act for the more effectual encouragement of trade and manufacture of leather gloves and mitts in this kingdom;—and also,*

6 G. 3. c. 28.

380. So much of an act passed in the sixth year of the reign of H. M. King George the Third, intituled, *An Act to prohibit the importation of foreign wrought silks and velvets for a limited time, and for preventing unlawful combination of workmen employed in the silk manufacture; which said act was made perpetual by 48 G. 3. c. 22. as relates to the importation of foreign wrought silks and velvets;—and also,*

6 G. 3. c. 40.

381. So much of an act passed in the sixth year of the reign of King George the Third, intituled, *An Act for explaining and amending such part of an act made in the third year of the reign of His present Majesty, as relates to certain duties on wines imported; for the more easy collecting and effectually securing the stamp-duties for copies of court rolls; for relief of persons who have omitted to insert in indentures, or other writings, the full sum agreed to be paid with clerks, apprentices, and other servants; for amending such parts of two acts made in the last sessions of parliament, as relate to certain E. I. goods, and bugles exported to Africa; for permitting a certain quantity of wheat, barley, oats, meal, and flour to be exported from G. B. to the Isle of Man, for the use of the inhabitants there; for allowing the exportation of certain quantities of coals, free from the payment of the duty granted by an act made in the last sessions of parliament, to the islands of Jersey, Guernsey, and Alderney; and for obviating certain doubts with respect to the importation of oats and oatmeal, under the authority of an act made in this present sessions of parliament, as permits certain quantities of coals to be exported from Newcastle and Swansea, to the islands of Jersey, Guernsey, and Alderney, without payment of certain duties;—and also,*

6 G. 3. c. 50.

382. An act passed in the sixth year of the reign of King George the Third, intituled, *An Act for allowing the conveyance from the ports of Southampton and Portsmouth, to the port of Cowes in the Isle of Wight, of goods not liable to duty on exportation, or prohibited to be exported, and of sheep and cattle, between the said ports, without coquets being taken or bonds entered into for that purpose; and for extending an act made in the 29th year of the reign of King Charles the Second, for taking affidavits in the county, to be made use of in the court of K. B., C. P., and Exchequer,*

to the Isle of Man; and for appointing ports and places for shipping and landing goods in the said island;—and also,

7 G. 3. c. 2.

383. An act passed in the seventh year of the reign of King George the Third, to amend the last-mentioned act;—and also,

7 G. 3. c. 41. [Stat. Dig. tit. AMERICAN COLONIES, pl. 27.]

384. An act passed in the seventh year of the reign of King George the Third, intituled, *An Act to enable H. M. to put the customs and other duties in the British dominions in America, and the execution of the laws relating to trade there, under the management of commissioners to be appointed for that purpose, and to be resident in the said dominions;—and also,*

7 G. 3. c. 45. [Stat. Dig. tit. CAMBRIC, pl. 1, &c.]

385. An act passed in the seventh year of the reign of King George the Third, intituled, *An Act to amend and enforce the acts of the 18th, 21st, and 32d years of the reign of His late Majesty King George the Second, for the more effectual preventing the fraudulent importation and wearing of cambrics and French lawns;—and also,*

7 G. 3. c. 45.

[Stat. Dig. tit. FISHERIES, (Isle of Man,) pl. 186.]

386. An act passed in the seventh year of the reign of King George the Third, intituled, *An Act for encouraging and regulating the trade and manufactures of the Isle of Man, and the more easy supply of the inhabitants there with a certain quantity of wheat, barley, oats, meal, and flour, authorized by an act made in this session to be transported to the said island;—and also,*

7 G. 3. c. 46.

387. An act passed in the seventh year of the reign of King George the Third, intituled, *An Act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of customs upon the exportation from this kingdom of coffee and cocoa-nuts of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on china and earthenware exported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations;—and also,*

7 G. 3. c. 47.

388. An act passed in the seventh year of the reign of King George the Third, intituled, *An Act for discontinuing the duties on logwood exported; for taking off the duties on succus liquoritæ imported, and for granting other duties in lieu thereof; for explaining such parts of two acts made in the 10th and 12th years of the reign of Queen Anne, as relate to certain duties on silks painted or stained in G. B.; for granting a duty upon the exportation of such rice as shall have been imported duty free, in pursuance of an act made in this session of parliament; and for the more effectual preventing the wear of foreign lace and needlework, which are prohibited to be imported into this kingdom;—and also,*

8 G. 3. c. 22.

389. An act passed in the eighth year of the reign of King George the Third, intituled, *An Act for the more easy and effectual recovery of the penalties and forfeitures inflicted by the acts of parliament relating to the trade or revenue of the British colonies and plantations in America;—and also,*

8 G. 3. c. 25.

390. So much of an act passed in the eighth year of the reign of King George the Third, intituled, *An Act for reducing the duties on foul salt to be used for manure; for altering the stamp-duties on certain policies of insurances; for amending so much of an act made in the 33d year of the reign of His late Majesty King George the Second, as relates to the allowance of the duties of customs, and exempting from the duties of excise such rum or spirits, of the growth, production, or manufacture of the British sugar plantations in America, as shall be exported from this kingdom; for the better securing the excise duties upon foreign liquors imported; and for repealing a clause in an act made in the last session of parliament, prohibiting the sale of condemned tea for home consumption; for amending such parts of two acts, made in sixth and seventh years of the reign of His present Majesty, as relates to the depositing in the warehouses belonging to the custom-house in London foreign wrought silks and velvets, and cambrics and French lawns, upon the seizure thereof, as relates to foreign wrought silks and velvets, and other works made thereof, and to all cambrics and lawns which may have been seized for any cause of forfeiture;—and also,*

9 G. 3. c. 28.

391. An act made in the ninth year of the reign of King George the Third, intituled, *An Act to permit the inhabitants of Jersey and Guernsey to export directly from thence to Newfoundland, or the British colonies in America, goods necessary for the fishery, under certain restrictions, and to import from thence non-enumerated goods (except rum), and to land the same in the said islands;—and also,*

9 G. 3. c. 35.

392. So much of an act passed in the ninth year of the reign of King

George the Third, intituled, *An Act for discontinuing, upon the exportation of iron imported in foreign ships, the drawback of such part of the duties payable thereon as exceeds the duties payable upon iron imported in British ships; to prohibit the exportation of pig and bar iron, and certain naval stores, unless the pre-emption thereof be offered to the commissioners of the navy; to repeal so much of an act made in the sixth year of His present Majesty's reign as discontinued the drawback on foreign rough hemp exported; for providing a compensation to the clerks in the offices of the principal secretaries of state, for the advantages of such clerks employed before the commencement of an act made in the fourth year of the reign of His present Majesty, for preventing frauds and abuses in relation to the sending and receiving such letters and packets free from the duty of postage; and to explain and amend the said acts, as relates to the exportation of naval stores;—and also,*

9 G.3. c.39.

393. So much of an act passed in the ninth year of the reign of King George the Third, intituled, *An Act to permit the free importation of certain raw hides and skins from Ire., and the British plantations in America, for a limited time, and for taking off the duties upon seal-skins tanned or tawed in this kingdom, and for granting another duty in lieu thereof; for indemnifying all persons with respect to advising or executing any of H. M.'s orders of council prohibiting the importation of raw hides, horns, or hoofs of infected cattle; and to authorize the prohibition of the importation of such hides, horns, and hoofs for the future, as empowers H. M., by proclamation or order in council, to prohibit generally, or from any particular country or countries, the importation of any hides or skins, horns or hoofs, or any other part of any cattle or beast, into the kingdom of G. B. or Ire., to prevent any contagious distemper from being brought into this kingdom;—and also,*

9 G.3. c.41.

394. So much of an act passed in the ninth year of the reign of King George the Third, intituled, *An Act for better securing the duties of customs upon certain goods removed from the out-ports and other places to London; for regulating the fees of the officers of H. M.'s customs in the province of Senegambia in Africa; for allowing to the receivers-general of the duties on offices and employments in Scot. a proper compensation for their trouble and expences; for the better preservation of hollies, thorns, and quicksets, in forests, chases, and private grounds, and of trees and underwoods in forests and chases; and for authorizing the exportation of a limited quantity of an inferior sort of barley called biggrom the port of Kirkwall in the islands of Orkney, as relates to the removal of certain goods, from an out-port in G. B. to the port of London; and also as relates to the fees to be taken by the officers of the customs in Senegambia;—and also,*

10 G.3. c.37.—[Stat. Dig. tit. NEWFOUNDLAND, pl. 2.]

395. So much of an act passed in the 10th year of the reign of King George the Third, intituled, *An Act for continuing so much of an act made in the third year of His present Majesty's reign, intituled, 'An Act to continue and amend two acts made in the 21st and 28th years of His late Majesty's reign, for encouraging the making of indico in the British plantations in America; and for extending the provisions of an act of the 30th year of His late Majesty's reign, with respect to bringing prize goods into this kingdom, to Spanish prize goods taken since the late declaration of war with Spain,' as relates to the encouraging the making of indico in the British plantations in America; and for explaining so much of an act made in the fifth year of His present Majesty's reign, as relates to the fees of the officers of the customs in America, and for extending the same to the naval officers there; and which said act was made perpetual by 45 G.3. c.68. s.5. as allows officers of the customs and naval officers in British colonies to demand and receive fees;—and also,*

10 G.3. c.58.

396. An act passed in the 10th year of the reign of King George the Third, intituled, *An Act for continuing the bounties on British and Irish linens exported; for further discontinuing the duties on the importation of foreign raw linen yarn made of flax; and for granting a bounty on the exportation of British chequered and striped linens, and upon British and Irish diapers, huckabacks, sheeting, and other linen of above a certain breadth;—and also,*

10 G.3. c.43.

397. An act passed in the 10th year of the reign of King George the Third, intituled, *An Act for repealing the duties upon bast or straw, chip, cane, and horse-hair hats and bonnets, and upon certain materials for making the same, imported into G. B.; and for granting other duties in lieu thereof; and for the more effectual preventing the fraudulent importation of such goods;—and also,*

10 G.3. c.45. [Stat. Dig. tit. CATTLE, pl. 12.]

398. An act passed in the 10th year of the reign of King George the Third, intituled, *An Act to prevent the further spreading of the contagious disorders among the horned cattle in G. B.;—and also,*

11 G.3. c.41.

399. An act passed in the 11th year of the reign of King George the Third, intituled, *An Act to explain an act made in the eighth year of the*

reign of His late Majesty King George the First, intituled, 'An Act giving further encouragement for the importation of naval stores, and for other purposes therein mentioned,' so far as relates to the importation of unmanufactured wood, the growth and production of America; and to explain so much of an act made in the 26th year of the reign of His late Majesty King George the Second, intituled, 'An Act for enlarging and regulating trade into the Levant seas,' as relates to the importation of raw silk and mohair yarn landed at certain places therein mentioned;—and also,

12 G.3. c.58.

[Stat. Dig. tit. FISHERIES, (Isle of Man,) pl. 187.]

400. So much of an act passed in the 12th year of the reign of King George the Third, intituled, *An Act for the encouragement of the herring fishery on the coast of the Isle of Man; and for obviating a doubt which has arisen with respect to allowing the bounties upon the British white herring fishery, in the year 1771, as permits the inhabitants of the Isle of Man to export herrings to the British colonies or plantations in America;—and also,*

14 G.3. c.42. [Stat. Dig. tit. COIN, pl. 101.]

401. An act passed in the 14th year of the reign of King George the Third, intituled, *An Act to prohibit the importation of light silver coin of this realm from foreign countries into G. B. or Ire., and to restrain the tender thereof beyond a certain sum; which said act was made perpetual by 39 G.3. c.75;—and also,*

14 G.3. c.71.

[Stat. Dig. tit. MANUFACTURES, pl. 60—67.]

402. An act passed in the 14th year of the reign of King George the Third, intituled, *An Act to prevent the exportation of utensils made use of in the cotton, linen, woollen, and silk manufactures of this kingdom;—and also,*

15 G.3. c.31.—further REP. 5 G.4. c.51. s.1.

403. So much of an act passed in the 15th year of the reign of King George the Third, intituled, *An Act for the encouragement of the fisheries carried on from G. B. and Ire., and the British dominions in Europe; and for securing the return of the fishermen, sailors, and others, employed in the said fisheries, to the ports thereof, at the end of the fishing season, as remains unrepealed, and relates to the revenue of customs;—and also,*

16 G.3. c.47. [Stat. Dig. tit. NEWFOUNDLAND, pl. 1, 2.]

404. So much of an act passed in the 16th year of the reign of King George the Third, intituled, *An Act for the further encouragement of the whale fishery carried on from G. B. and Ire., and the British dominions in Europe; and for regulating the fees to be taken by the officers of the customs in the island of Newfoundland, as relates to fees taken by the officers of customs in the island of Newfoundland;—and also,*

16 G.3. c.48.

405. An act passed in the 16th year of the reign of King George the Third, intituled, *An Act for allowing further time for the exportation or payment of the duties upon bugles when warehoused upon importation into this kingdom; to empower the commissioners of the customs to order all bonds relative to that revenue, upon which no prosecutions have been tried for the space of five years (except those bonds for duties, and for the good behaviour of officers in the execution of their duty), to be destroyed; and for repealing the duty upon feather beds imported into this kingdom, and for charging the same with the like duties as are payable upon feathers for beds;—and also,*

17 G.3. c.41.

406. An act passed in the 17th year of the reign of King George the Third, intituled, *An Act to prevent the clandestine unshipping from and receiving goods at sea on board vessels employed in the E. I. C.'s service; for ascertaining the manner of discharging bonds given for the due exportation of certain goods from G. B. to foreign parts; and to oblige the masters of British or Irish ships sailing from any of H. M.'s dominions in the Baltic, to deliver a manifesto of their cargoes to the British consul residing there;—and also,*

17 G.3. c.43.

407. An act passed in the 17th year of the reign of King George the Third, intituled, *An Act for repealing the 11th rule in the book of rates, so far as the same relates to making any allowance upon the importation of damaged currants and raisins, and for making the importer of such goods an abatement in the duties in lieu thereof; and for explaining the said rule with respect to such allowance for damage on other goods; and to permit the exportation of tobacco-pipe clay from this kingdom to the British sugar colonies or plantations in the West Indies for a limited time; which said act was made perpetual, as to tobacco-pipe clay, by 48 G.3. c.22;—and also,*

18 G.3. c.27.

408. An act passed in the 18th year of the reign of King George the Third, intituled, *An Act for granting H. M. several additional duties upon wines and vinegar imported into this kingdom;—and also,*

18 G.3. c.55.

409. An act passed in the 18th year of the reign of King George the Third, intituled, *An Act to permit the exportation of certain goods directly*

from Ire. into any British plantation in America, or any British settlement on the coast of Africa; and for further encouraging the fisheries and navigation of Ire.; — and also,

18 G.3. c. 58.

410. An act passed in the 18th year of the reign of King George the Third, intituled, *An Act to explain and amend so much of an act made in the fourth year of His present Majesty, as relates to the clandestine conveyance of sugar and paneles from the British colonies and plantations in America into G. B.*; — and also,

19 G.3. c. 22.

411. An act passed in the 19th year of the reign of King George the Third, intituled, *An Act to continue several laws relating to the giving further encouragement for the importation of naval stores from the British colonies in America; to the landing of rum or spirits of the British sugar plantations before payment of the duties of excise; to the discontinuing the duties payable upon the importation of tallow, hogs' lard, and grease; to the regulating the fees of officers of the customs and naval officers in America; to the allowing of certain quantities of wheat and other articles to H. M.'s sugar colonies in America; and to the allowing a drawback of the duties on rum shipped as stores to be consumed on board merchant-ships on their voyage; and which act was made perpetual by 42 G.3. c. 50. so far as regards the allowance on drawbacks on rum shipped as stores; — and also,*

19 G.3. c. 48.

412. An act passed in the 19th year of the reign of King George the Third, intituled, *An Act to explain so much of an act made in the 12th year of the reign of King Charles the Second, intituled, 'An Act for the encouraging and increasing of shipping and navigation,' as relates to the importation into this kingdom, and other H. M.'s dominions, of goods and commodities of the growth or production of Africa, Asia, or America, which are manufactured in foreign parts; for preventing masters of ships removing their vessels out of the stream, except to the lawful quays, in the port of London, before the goods are discharged or their vessels are cleared by the proper officers inwards or outwards; and for allowing the officers of the customs and excise to make use of lights on board ships in the haven, dock, or bason at the port of Kingston-upon-Hull; — and also,*

19 G.3. c. 62.

413. An act passed in the 19th year of the reign of King George the Third, intituled, *An Act to permit the removal of lime, and other articles necessary for the improvement of land, without cocquet or bond; — and also,*

19 G.3. c. 69. [Stat. Dig. tit. BOATS, pl. 6, 7. 12.]

414. An act passed in the 19th year of the reign of King George the Third, intituled, *An Act for the more effectual preventing the pernicious practices of smuggling in this kingdom, and for indemnifying persons who have been guilty of offences against the laws of the customs and excise, upon the terms therein mentioned; — and also,*

20 G.3. c. 7.

415. An act made in the 20th year of the reign of King George the Third, intituled, *An Act to amend an act made in the 18th year of the reign of His present Majesty, intituled, 'An Act to explain and amend so much of an act made in the fourth year of the reign of His present Majesty, as relates to the preventing the clandestine conveyance of sugar and paneles from the British colonies and plantations in America into G. B.'; — and also,*

20 G.3. c. 10.

416. An act passed in the 20th year of the reign of King George the Third, intituled, *An Act to allow the trade between Ire. and the British colonies and plantations in America and the West Indies, and the British settlements on the coast of Africa, to be carried on in like manner as it is now carried on between G. B. and the said colonies and settlements; — and also,*

20 G.3. c. 42.

417. An act passed in the 20th year of the reign of King George the Third, intituled, *An Act for granting to H. M. several additional duties upon certain goods imported into the Isle of Man, and for better regulating the trade and securing the revenues of the said island; — and also,*

21 G.3. c. 16.

418. An act passed in the 21st year of the reign of King George the Third, intituled, *An Act for repealing the discounts and abatements upon certain foreign goods, and for granting additional duties upon tobacco and sugar imported into G. B.; — and also,*

21 G.3. c. 28.

419. An act passed in the 21st year of the reign of King George the Third, intituled, *An Act for allowing further time for the exportation of or payment of the duties upon bugles when warehoused upon importation into this kingdom; and for obviating a doubt with respect to charging the duties on rum imported from Scot. into the Isle of Man; — and also,*

21 G.3. c. 37.

[Stat. Dig. tit. MANUFACTURES, pl. 61, &c.]

420. An act passed in the 21st year of the reign of King George the Third, intituled, *An Act to explain and amend an act made in the 14th*

year of the reign of His present Majesty, intituled, 'An Act to prevent the exportation to foreign parts of utensils made use of in the cotton, linen, woollen, and silk manufactures of this kingdom;' — and also,

21 G.3. c. 39.

421. An act passed in the 21st year of the reign of King George the Third, intituled, *An Act for securing the property of the owners in such ships or vessels as are liable to forfeiture for importing spirits or other goods, by the misconduct of the master and seamen; — and also,*

21 G.3. c. 62.

422. An act passed in the 21st year of the reign of King George the Third, intituled, *An Act to explain and amend an act made in the eighth and ninth years of the reign of King William the Third, intituled, 'An Act for lessening the duty upon tin and pewter exported, and for granting an equivalent for the same by a duty upon drugs,' so far as the same relates to the importation of drugs from the Russian dominions; and also an act made in the third year of the reign of His present Majesty, intituled, 'An Act for the further improvement of H. M.'s revenue of customs, and for the encouragement of officers making seizures, and for the prevention of the clandestine running of goods into any part of H. M.'s dominions;' to permit the importation of orchilla weed and cobalt during the present hostilities, from any place whatsoever, in British, Irish, or neutral ships; and to permit sugars, the growth of Demoray and Essequibo, to be imported into G. B., upon payment of the like duties and under the like restrictions as sugars of the British islands in the West Indies; — and also,*

22 G.3. c. 60. [Stat. Dig. tit. MANUFACTURES, pl. 76—84.]

423. An act passed in the 22d year of the reign of King George the Third, intituled, *An Act to prevent the seducing of artificers or workmen employed in printing calicoes, muslins, and linens, or in making or preparing blocks, plates, or other implements used in that manufactory, to go to parts beyond the seas; and to prohibit the exporting to foreign parts of any such blocks, plates, or other implements; — and also,*

22 G.3. c. 78.

424. So much of an act passed in the 22d year of the reign of King George the Third, intituled, *An Act to permit drugs the product of Hungary or Germany to be imported from the Austrian Netherlands, or any part of Germany, upon payment of the single duty; to allow the importation of Hungary or Germany wines, and organzined thrown silk, from the Austrian Netherlands, or any part of Germany, into G. B., and of timber and other goods from any part of Europe, in ships the property of subjects under the same sovereign as the country of which the goods are the growth, production, or manufacture, as relates to the importation of organzined thrown silk, being the growth, production, or manufacture of Hungary, the Austrian dominions, or any part of Germany, into G. B.; — and also,*

23 G.3. c. 11.

425. So much of an act passed in the 23d year of the reign of King George the Third, intituled, *An Act to amend an act made in the 24th year of the reign of King George the Second, intituled, 'An Act for the more effectual securing the duties upon tobacco;' to prohibit the importation of currants into G. B. in small packages; to repeal such part of the proviso of an act of the 18th year of the reign of his present Majesty, as permits Portugal and Spanish wines, and other wines (except French wines), to be imported in small casks, for private use; and for taking off the inland duty payable upon the importation of cocoa-nuts into this kingdom, upon the exportation thereof as merchandize, as relates to the importation of currants in hogsheads or casks, each of which shall contain at least 500 lbs. weight avoirdupois of net currants; — and also,*

23 G.3. c. 76.

426. An act passed in the 23d year of the reign of King George the Third, intituled, *An Act for the better preventing frauds in the landing and removing of wines in this kingdom, and to prevent the relanding of refined sugar entered for exportation, to obtain the drawback or bounty; — and also,*

23 G.3. c. 79.

427. So much of an act passed in the 23d year of the reign of H. M. King George the Third, intituled, *An Act for the further encouraging the growth of coffee and cocoa-nuts in H. M.'s islands and plantations in America, as relates to the revenue of the customs; — and also,*

24 G.3. sess. 2. c. 21.

428. An act passed in the 24th year of the reign of King George the Third, intituled, *An Act for the preservation and encouragement of the hat manufactory within this realm, by preventing the exportation of British hare-skins, British hare-wool, and British coney-wool, and all undressed or untanned coney-skins; and for preventing any of the said skins from being stained or dyed; and for the importation of goats'-hair duty-free; — and also,*

24 G.3. sess. 2. c. 47. [Stat. Dig. tit. REVENUE OFFICER, pl. 5, 4.]

429. An act passed in the 24th year of the reign of King George the Third, intituled, *An Act for the more effectual prevention of smuggling in this kingdom; — and also,*

24 G.3. sess. 2. c. 50.

430. So much of an act passed in the 24th year of the reign of King

George the Third, intituled, *An Act to revive and continue several laws relating to the allowing the exportation of certain quantities of wheat and other articles to H. M.'s sugar colonies in America, and to the allowing a drawback of the duties on rum shipped as stores to be consumed on board merchants' ships on their voyage; and to extend the provisions of an act of the 25d year of His present Majesty, relative to the removal of wine in casks, to wine removed in bottles or other packages, as relates to the removal of wine from one port in G. B. to another port in the same; — and also,*

25 G. 3. c. 54.

431. An act passed in the 25th year of the reign of King George the Third, intituled, *An Act for the better securing the duties upon coals, culm, and cinders; — and also,*

25 G. 3. c. 55.

432. So much of an act passed in the 25th year of the reign of King George the Third, intituled, *An Act for granting to H. M. certain duties on licences to be taken out by persons vending gloves or mittens, and also certain duties on gloves and mittens sold by retail, as relates to the importation of leather cut into the form of gloves or mitts, called shapes or tanks, or which shall be cut into any other manner or form, in order to be made into gloves or mitts; — and also,*

25 G. 3. c. 56. [Stat. Dig. tit. STORES, PUBLIC, pl. 29.]

433. So much of an act passed in the 25th year of the reign of King George the Third, intituled, *An Act for more effectually preventing deceptions and frauds in the manufacturing of cordage for shipping, and to prevent the illicit importation of foreign-made cordage, as relates to vessels arriving in G. B. having on board foreign-made cordage; — and also,*

25 G. 3. c. 67. — further REP. 5 G. 4. c. 51. s. 1.

[Stat. Dig. tit. MANUFACTURES, pl. 85—94.]

434. An act made in the 25th year of the reign of King George the Third, intituled, *An Act to prohibit the exportation to foreign parts of tools and utensils made use of in the iron and steel manufactories of this kingdom; and to prevent the seducing of artificers or workmen employed in those manufactures, to go into parts beyond the seas; — and also,*

26 G. 3. c. 26.

435. So much of an act passed in the 26th year of the reign of King George the Third, intituled, *An Act to amend and render more effectual the several laws now in force for encouraging the fisheries carried on at Newfoundland, and parts adjacent, from G. B., Ire., and the British dominions in Europe; and for granting bounties for a limited time on certain terms and conditions, as relates to the revenue of customs; — and also,*

26 G. 3. c. 36.

436. So much of an act passed in the 26th year of the reign of King George the Third, intituled, *An Act to explain an act made in the last session of parliament, with respect to the allowance to be made for waste on the exportation of white salt and rock salt to the Isle of Man; for limiting the quantity of British refined sugar to be exported to the Isle of Man; and for repealing so much of an act made in the seventh year of the reign of His present Majesty, intituled, 'An Act for encouraging and regulating the trade and manufacture of the Isle of Man, and for the more easy supply of the inhabitants there with a certain quantity of wheat, barley, oats, meal, and flour, authorized by an act made in this session to be transported to the said island,' as relates to permitting any person to import into the Isle of Man fish from any place whatsoever, except from G. B., without payment of any custom or any other duty whatsoever, so far as regards the importation of British refined sugar into the Isle of Man, and the exportation of sugar therefrom; — and also,*

26 G. 3. c. 40.

437. An act passed in the 26th year of the reign of King George the Third, intituled, *An Act for regulating the production of manifests, and for more effectually preventing fraudulent practices in obtaining bounties and drawbacks, and in the clandestine relanding of goods; — and also,*

26 G. 3. c. 41. [Stat. Dig. tit. FISHERY, WHALE, pl. 366, &c.]

438. An act passed in the 26th year of the reign of King George the Third, intituled, *An Act for the further support and encouragement of the fisheries carried on in the Greenland Seas and Davis's Streights; — and also,*

26 G. 3. c. 59.

439. So much of an act passed in the 26th year of the reign of King George the Third, intituled, *An Act for repealing certain duties now payable on wines imported, and for granting new duties in lieu thereof, to be collected under the management of the commissioners of excise, as empowers officers of the customs to convey wines to the custom-house warehouse, for security of the duties, if, within 20 days after entry is made of the vessel in which the same shall be imported, due entry be not made of the said wine; and also, as empowers the commissioners of the customs to cause such wine to be sold within three months after the same shall have been so conveyed to the said warehouse; — and also,*

26 G. 3. c. 89. [Stat. Dig. tit. MANUFACTURES, pl. 85, &c.]

440. An act passed in the 26th year of H. M. King George the Third, intituled, *An Act to explain, amend, and extend to other tools and utensils,*

an act made in the 25th year of His present Majesty, intituled, 'An Act to prohibit the exportation to foreign parts of tools and utensils made use of in the iron and steel manufactures of this kingdom; and to prevent the seducing of artificers or workmen employed in these manufactures, to go into parts beyond the sea;' — and also,

26 G. 3. c. 104.

441. An act passed in the 26th year of the reign of King George the Third, intituled, *An Act for allowing a drawback of the duties upon coals used in smelting copper and lead ores, and in fire-engines for draining water out of copper and lead mines within the Isle of Anglesey; — and also,*

27 G. 3. c. 13.

442. So much of an act passed in the 27th year of the reign of King George the Third, intituled, *An Act for repealing several duties of customs and excise, and granting other duties in lieu thereof, and for applying the said duties together with the other duties composing the public revenue; for permitting the importation of certain goods, wares, and merchandize, the produce or manufacture of the European dominions of the French King, into this kingdom; and for applying certain unclaimed monies remaining in the exchequer, for the payment of annuities on lives, to the reduction of the national debt, as relates to the importation or exportation of goods, wares, or merchandize, or as relates to the mode of collecting or securing payment of duties of customs, or the allowance of drawback of such duties, upon any goods, wares, or merchandize imported into or exported from this kingdom; — and also,*

27 G. 3. c. 32.

443. An act passed in the 27th year of the reign of King George the Third, intituled, *An Act for making further provisions in regard to such vessels as are particularly described in an act made in the 24th year of the reign of His present Majesty, for the more effectual prevention of smuggling in this kingdom, and for extending the said act to other vessels and boats not particularly described therein; for taking off the duties on flasks in which wine or oil is imported; for laying an additional duty on foreign geneva imported; for taking off the duty on ebony, the growth of Africa, imported into this kingdom; and for amending several laws relating to the revenue of customs; — and also,*

28 G. 3. c. 34.

444. So much of an act passed in the 28th year of the reign of King George the Third, intituled, *An Act more effectually to secure the performance of quarantine, and for amending several laws relating to the revenue of customs, as remains now in force and unrepealed; — and also,*

28 G. 3. c. 38. [Stat. Dig. tit. WOOL, &c., pl. 4, &c.]

445. An act passed in the 28th year of the reign of King George the Third, intituled, *An Act to explain, amend, and reduce into one act of parliament, several laws now in being for preventing the exportation of live sheep, lambs, and rams, wool, woollfells, mortlings, shortlings, yarn and worsted, cruels, coverlids, waddings, and other manufactures, or pretended manufactures, made of wool slightly wrought up or otherwise put together, so as the same may be reduced to and made use of as wool again, mattresses or beds stuffed with combed wool or wool fit for combing, fullers'-earth, fulling-clay, and tobacco-pipe clay, from this kingdom, and from the isles of Jersey, Guernsey, Alderney, Sark, and Man, into foreign parts; and for rendering more effectual an act passed in the 23d year of the reign of King Henry the Eighth, intituled, 'An Act for true winding of wool;' — and also,*

29 G. 3. c. 55. — further REP., 5 G. 4. c. 51. s. 1.

[Stat. Dig. tit. FISHERY, WHALE, pl. 376.]

446. So much of an act passed in the 29th year of the reign of King George the Third, intituled, *An Act for further encouraging and regulating the Newfoundland, Greenland, and southern whale fisheries, as relates to the payment of bounty for ships proceeding to the whale fishery in the Greenland Seas or in Davis's Streights; — and also,*

29 G. 3. c. 68.

447. So much of an act passed in the 29th year of the reign of King George the Third, intituled, *An Act for repealing the duties on tobacco and snuff, and for granting new duties in lieu thereof, as relates to the importation and exportation of tobacco and snuff; — and also,*

30 G. 3. c. 29. [Stat. Dig. tit. CANADA, pl. 1, 65.]

448. So much of an act passed in the 30th year of the reign of King George the Third, intituled, *An Act for amending an act passed in the 27th year of the reign of His present Majesty, intituled, 'An Act for allowing the importation and exportation of certain goods, wares, and merchandize, in the port of Kingston, Savannah-la-Mar, Montego Bay, and Santa Lucca, in the island of Jamaica, in the port of Saint George in the island of Grenado, in the port of Roseau in the island of Dominica, and in the port of Nassau in the island of New Providence, one of the Bahama islands, under certain regulations and restrictions; and for regulating the duties on the importation of goods and commodities, the growth and production of the countries bordering on the province of Quebec,' as remains unrepealed; — and also,*

30 G. 3. c. 45.

449. An act passed in the 30th year of the reign of King George the Third, intituled, *An Act to authorize the commissioners of the customs to*

defray charges on seizures out of H. M.'s share of seizures in general;—and also,

52 G. 3. c. 22. [Stat. Dig. tit. FISHERY, WHALE, pl. 399.]

450. An act passed in the 32d year of the reign of King George the Third, intituled, *An Act to continue and amend several laws relating to the encouragement of the fisheries carried on in the Greenland Seas and Davis's Streights; and to amend the laws now in force for the encouragement of the fisheries carried on in the seas to the southward of the Greenland Seas and Davis's Streights*;—and also,

52 G. 3. c. 32.

451. An act passed in the 32d year of H. M. King George the Third, intituled, *An Act to revive and continue so much of an act made in the sixth year of the reign of His present Majesty, as relates to the conveyance of sheep between Cowes in the Isle of Wight, and the ports of Southampton and Portsmouth, and to extend the same to horses and lambs, and to amend the said act*;—and also,

52 G. 3. c. 43.

[Stat. Dig. tit. GUNPOWDER, pl. 13—15.; STORES, PUBLIC, pl. 41.]

452. An act passed in the 32d year of the reign of King George the Third, intituled, *An Act for regulating the allowance of the drawback and payment of the bounty on the exportation of sugar; and for permitting the importation of sugar and coffee into the Bahama and Bermuda islands in foreign bottoms*;—and also,

52 G. 3. c. 50.

453. An act passed in the 32d year of the reign of King George the Third, intituled, *An Act for the relief of the coast-trade of G. B.; for exempting certain coast documents from stamp-duties; for abolishing the bond usually called the Isle of Man bond; and for permitting corn and grain brought coastwise to be transhipped into lighters for the purpose of being carried through the Forth to the Clyde*;—and also,

53 G. 3. c. 2.

[Stat. Dig. tit. GUNPOWDER, pl. 13—15. tit. STORES, PUBLIC, pl. 41.]

454. An act passed in the 33d year of the reign of King George the Third, intituled, *An Act to enable H. M. to restrain the exportation of naval stores, and more effectually to prevent the exportation of saltpetre, arms, and ammunition, when prohibited by proclamation or order in council*;—and also,

53 G. 3. c. 48.

455. An act passed in the 33d year of the reign of King George the Third, intituled, *An Act to allow the drawback of the duties of customs and excise upon wines consumed by admirals, captains, and other commissioned officers on board ships of war in actual service, and to allow such ships to be supplied with tobacco duty-free*;—and also,

53 G. 3. c. 56.

456. An act passed in the 33d year of the reign of King George the Third, intituled, *An Act to amend an act made in the last session of parliament, intituled, 'An Act for regulating the allowance of the drawback and payment of the bounty on the exportation of sugar; and for permitting the importation of sugar and coffee into the Bahama and Bermuda islands in foreign ships;' and for reducing the bounty on refined sugars exported in any other than British ships*;—and also,

53 G. 3. c. 70.

457. An act passed in the 33d year of the reign of King George the Third, intituled, *An Act for the repealing the duties and drawbacks on figs, and for granting and allowing other duties and drawbacks in lieu thereof; for charging a duty on the importation, and allowing a drawback on the exportation, of virginal wire of copper; for empowering the commissioners of the customs to authorize their officers to make allowance for damages received by goods during the voyage; and for authorizing the commissioners of the customs and excise to sell vessels liable to be broken up to private persons, to be used as privateers*;—and also,

53 G. 3. c. 81.

458. An act passed in the 33d year of the reign of King George the Third, intituled, *An Act to amend an act passed in the sixth year of the reign of His present Majesty, intituled, 'An Act for allowing a drawback of the duties upon coals used in smelting copper and lead ores, and in fire-engines for draining water out of copper and lead mines within the Isle of Anglesey'*;—and also,

54 G. 3. c. 20.

459. So much of an act passed in the 34th year of the reign of King George the Third, intituled, *An Act for the repealing the duties on paper, pasteboard, millboard, scaleboard, and glazed paper, and for granting other duties in lieu thereof, as enacts, that officers of the customs at the port or place where any foreign paper shall be imported, shall cause the same to be marked, stamped, or sealed, in such manner as the commissioners of H. M.'s customs in Eng. or Scot. shall think fit to direct*;—and also,

54 G. 3. c. 34.

460. An act passed in the 34th year of the reign of King George the Third, intituled, *An Act for indemnifying all persons who have been concerned in advising or carrying into execution an order of the lords commissioners of H. M.'s treasury, respecting the importation of pot-ashes or pearl-ashes; for preventing suits in consequence of the same; for authorizing H.*

M. to prohibit the exportation or carrying coastwise pot-ashes or pearl-ashes, and for making further provisions relative thereto;—and also,

54 G. 3. c. 42. [Stat. Dig. tit. ALIEN, pl. 45.]

461. So much of an act passed in the 34th year of the reign of King George the Third, intituled, *An Act for granting foreign ships put under H. M.'s protection the privileges of prize ships, under certain regulations and restrictions; for allowing aliens in foreign countries surrendered to H. M. to exercise the occupations of merchants or factors; and for repealing an act passed in the 12th year of the reign of His late Majesty, intituled, 'An Act for granting a liberty to carry sugars of the growth, production, or manufacture of any of H. M.'s sugar colonies in America, from the said colonies directly to foreign parts, in ships built in G. B., and navigated according to law;' and also so much of an act passed in the 15th year of His late Majesty as amendeth said act; as relates to aliens residing in any place surrendered to H. M. in the West Indies, acting as merchants or factors*;—and also,

54 G. 3. c. 59. [Stat. Dig. tit. ACCOUNTS, PUBLIC, pl. 61.]

462. An act passed in the 34th year of the reign of King George the Third, intituled, *An Act for repealing so much of an act made in the seventh year of the reign of His present Majesty, as directs that no cambrics or lawns shall be imported from Ire., until the importation of cambrics and French lawns into Ire. shall be prohibited by law; to allow the importation of cambrics and French lawns from the Austrian Netherlands for a limited time; for making more effectual an act made in the 24th year of the reign of His present Majesty, for the more effectual prevention of smuggling in this kingdom, and for preventing the fraudulent re-landing of tobacco shipped for exportation*;—and also,

54 G. 3. c. 51.

463. An act passed in the 34th year of the reign of King George the Third, intituled, *An Act for granting to H. M. certain duties of customs on slate, stone, and marble*;—and also,

54 G. 3. c. 68.

464. An act passed in the 34th year of the reign of King George the Third, intituled, *An Act for the further encouragement of British mariners, and for other purposes therein mentioned*;—and also,

55 G. 3. c. 31.

465. So much of an act passed in the 35th year of the reign of King George the Third, intituled, *An Act for extending the provisions of an act made in the 34th year of the reign of His present Majesty, to cutters, luggers, shallops, wherries, smacks, or yawl, of any built whatsoever; for amending an act made in the 28th year of the reign of His present Majesty, more effectually to secure the performance of quarantine, and for amending several laws relative to the revenue of the customs; for amending of an act made in the 33d year of the reign of His present Majesty, intituled, 'An Act for the relief of the captors of prizes, with respect to the bringing and landing certain prize goods in this kingdom;' and for authorizing the commissioners of excise at Edinburgh to grant licences to manufacturers and dealers in tobacco and snuff, within the limits of the chief office of excise at Edinburgh, as extends the provisions of an act passed in the 34th year of the reign of King George the Third, to every cutter, lugger, shallop, wherry, smack, or yawl, belonging in the whole or in part to H. M.'s subjects, of any built whatsoever the same may be*;—and also,

55 G. 3. c. 39.

466. An act passed in the 35th year of the reign of King George the Third, intituled, *An Act for allowing a drawback of the duties upon coals used in carrying on the Pennygorod works in the county of Pembroke*;—and also,

55 G. 3. c. 92. [Stat. Dig. tit. FISHERY, (Southern Whale,) pl. 304, &c.]

467. An act passed in the 35th year of the reign of King George the Third, intituled, *An Act for further encouraging and regulating the southern whale-fisheries*;—and also,

55 G. 3. c. 96. [Stat. Dig. tit. REVENUE OFFICER, pl. 13.]

468. So much of an act passed in the 35th year of the reign of King George the Third, intituled, *An Act for the relief of persons detained in gaol or want of bail, in certain cases relating to the public revenue, as relates to persons detained in gaol for assaulting or obstructing officers of the customs in the execution of their duty*;—and also,

56 G. 3. c. 82.

469. An act passed in the 36th year of the reign of King George the Third, intituled, *An Act more effectually to prevent the landing of goods, wares, and merchandize, without the presence of the proper officer; to authorize officers of the customs to convey wines laying on the quays to H. M.'s warehouse within a certain time after the landing thereof; and to require the owners of ships, vessels, and boats, licensed by the admiralty, to give security to re-deliver their licences in case any such ships, vessels, or boats shall be lost, broken up, or otherwise disposed of*;—and also,

56 G. 3. c. 110.

470. An act passed in the 36th year of the reign of King George the Third, intituled, *An Act for permitting the carrying coastwise of lime, limestone, dung, and other articles of manure, without taking out sufferance, transire, or let-pass*;—and also,

37 G. 3. c. 73. [Stat. Dig. tit. SEAMEN, pl. 116, &c.]

471. So much of an act passed in the 37th year of the reign of King George the Third, intituled, *An Act for preventing the desertion of seamen from British merchants' ships trading to H. M.'s colonies and plantations in the West Indies*, as requires masters of ships within 10 days of their arrival out at any port in H. M.'s colonies or plantations, and also within 10 days after their arrival home at any port within G. B., to deliver, upon oath, a true and exact list and description of all and every the crew on board, and also a list of such of the crew as shall have deserted or died during the voyage, and of the wages due to each seaman; — and also,

38 G. 3. c. 33. [Stat. Dig. tit. QUARANTINE, pl. 1.]

472. An act passed in the 38th year of the reign of King George the Third, intituled, *An Act to amend two acts, made in the 26th year of the reign of King George the Second, and the 28th year of the reign of His present Majesty, respecting the performance of quarantine; for punishing persons acting contrary to any order in council which may be made for laying any embargo on ships or vessels, or for prohibiting or regulating the exportation of any goods, wares, or merchandize; to prevent the fraudulent importation of glass into this kingdom; for permitting the removal of coffee and cocoa coastwise for the greater convenience of exportation; to authorize the commissioners of the customs to return the duties paid on goods imported, which shall be lost or destroyed before the landing thereof; to prevent vessels licensed by the admiralty from being engaged in any trade or employment not permitted by their licences; for permitting wines put on board any of H. M.'s ships to be removed from one ship to another without being first landed and warehoused; and for extending the provisions of an act made in the 35d year of the reign of His present Majesty, to wines delivered into the charge of the collector and controller of H. M.'s customs at the port of Falmouth; — and also,*

38 G. 3. c. 57. [Stat. Dig. tit. FISHERY, (Southern Whale,) pl. 304.]

473. An act passed in the 38th year of the reign of King George the Third, intituled, *An Act for the further encouraging the southern whale fisheries; — and also,*

38 G. 3. c. 67. [Stat. Dig. tit. COIN, pl. 111.]

474. An act passed in the 38th year of the reign of King George the Third, intituled, *An Act to prevent the exportation of base coin to H. M.'s colonies in the West Indies and America; — and also,*

38 G. 3. c. 86.

475. An act passed in the 38th year of the reign of King George the Third, intituled, *An Act for abolishing certain offices in the customs, and for regulating certain other offices therein; and for applying the fees which have been received from vacant offices towards the augmentation of the superannuation fund; — and also,*

39 G. 3. c. 59.

476. An act passed in the 39th year of the reign of King George the Third, intituled, *An Act for permitting certain goods imported from the E. I. to be warehoused, and for repealing the duties now payable thereon, and granting other duties in lieu thereof; — and also,*

39 & 40 G. 3. c. 51. [Stat. Dig. tit. FISHERY, WHALE, pl. 406, 407.]

477. An act passed in the 39th and 40th years of the reign of King George the Third, intituled, *An Act to permit blubber from the Greenland fishery and Davis's Straights to be boiled into oil after the arrival of the ships from the fishery, and for charging the duty thereon; for altering the convoy duty now payable on the importation of opium; for repealing the duties on the importation of oil of turpentine and tar, and charging other duties in lieu thereof; for exempting burr-stones, and stones used for the purpose of paving, or the making or mending of roads, from the duty charged thereon when carried coastwise; for obliging masters of ships laden with tobacco to remove the same from their moorings when their cargoes are discharged; and for extending bonds given on licensing ships, vessels, or boats, to all cases wherein ships, vessels, or boats may be liable to forfeiture; — and also,*

39 & 40 G. 3. c. 59.

478. An act passed in the 39th and 40th years of the reign of King George the Third, intituled, *An Act to remove doubts arising from the construction of an act made in the 39th year of His present Majesty's reign, intituled, 'An Act for permitting certain goods imported from the E. I. to be warehoused, and for repealing the duties now payable thereon, and for granting other duties in lieu thereof; — and also,*

39 & 40 G. 3. c. 85.

479. An act passed in the 39th and 40th years of the reign of King George the Third, intituled, *An Act for permitting French wines to be imported into this kingdom from the isles of Jersey, Guernsey, or Alderney, in bottles or flasks; — and also,*

41 G. 3. G. B. c. 2. [Stat. Dig. ADD. tit. COIN.]

480. An act passed in the 41st year of the reign of King George the Third, intituled, *An Act to authorize H. M. from time to time to prohibit the exportation of provisions or food; — and also,*

41 G. 3. U. K. c. 21.

481. An act passed in the 41st year of the reign of King George the Third, intituled, *An Act for permitting E. I. goods prohibited to be worn*

or used in G. B., and warehoused, in pursuance of an act made in the 39th year of His present Majesty, to be removed by land carriage to certain ports, for the purpose of being exported to the British colonies or plantations in the West Indies; — and also,

41 G. 3. U. K. c. 75.

482. An Act passed in the 41st year of the reign of King George the Third, intituled, *An Act to permit the exportation of tea to Ire., without the payment of duty, under certain restrictions; — and also,*

42 G. 3. c. 18. [Stat. Dig. tit. FISHERY, (Southern Whale,) pl. 304, &c.]

483. An act passed in the 42d year of the reign of King George the Third, intituled, *An Act for continuing the provisions allowed to ships employed in, and for enlarging the limits of the southern whale fishery; — and also,*

42 G. 3. c. 22.

484. An act passed in the 42d year of the reign of King George the Third, intituled, *An Act for continuing, until the 25th Dec. 1824, the bounties granted for the encouragement of the Greenland whale fisheries, and for continuing and amending the regulations respecting the same; — and also,*

42 G. 3. c. 44.

485. An act passed in the 42d year of the reign of King George the Third, intituled, *An Act for permitting French wines to be imported into G. B. in bottles or flasks, under certain restrictions; — and also,*

42 G. 3. c. 82.

486. An act passed in the 42d year of the reign of King George the Third, intituled, *An Act to alter, amend, and render more effectual an act made in the 24th year of the reign of His present Majesty, for the more effectual prevention of smuggling in G. B.; — and also,*

42 G. 3. c. 95.

487. An act passed in the 42d year of the reign of King George the Third, intituled, *An Act for repealing the duties granted by an act made in this session of parliament, on spermaceti-oil, blubber, train-oil, fish-oil, or oil of seals, and for granting other duties in lieu thereof; for repealing the duties granted by the said act on linen-yarn made of flax, and on goods, wares, or merchandize imported by the E. I. C., and exported from the warehouse in which the same shall have been secured; for exempting stone, the produce of Guernsey, Jersey, Alderney, Sark, or Man, from duty; and for permitting merchandize, the produce of any of the colonies ceded to the French and Batavian republics, to be imported, for three years from the passing of this act, upon the payment of certain duties; — and also,*

42 G. 3. c. 97.

488. An act passed in the 42d year of the reign of King George the Third, intituled, *An Act to authorize the lord high treasurer or commissioners of the treasury in G. B., and the lord high treasurer or commissioners of the treasury in Ire., to order the use of the hydrometer now employed in the management of the revenues to be discontinued, and other instruments to be used instead thereof; — and also,*

43 G. 3. c. 68.

489. An act passed in the 43d year of the reign of King George the Third, intituled, *An Act to repeal the duties of customs payable in G. B., and to grant other duties in lieu thereof; — and also,*

43 G. 3. c. 128.

490. An act passed in the 43d year of the reign of King George the Third, intituled, *An Act for the further regulation of the collection of the duties of customs in G. B., in certain cases; — and also,*

43 G. 3. c. 157.

491. An act passed in the 43d year of the reign of King George the Third, intituled, *An Act to make perpetual so much of an act made in the 19th year of the reign of King George the Second, as relates to the further punishment of persons going armed or disguised, and to the relief of officers of the customs in informations upon seizures; — and also,*

45 G. 3. c. 9. [Stat. Dig. tit. FISHERY, WHALE, pl. 358.]

492. An act passed in the 45th year of the reign of King George the Third, intituled, *An Act for allowing vessels employed in the Greenland whale fishery to complete their full number of men, at certain ports, for the present season; — and also,*

45 G. 3. c. 10. [Stat. Dig. tit. QUARANTINE, pl. 3., &c.]

493. An act passed in the 45th year of the reign of King George the Third, intituled, *An Act for making further provision for the effectual performance of quarantine; — and also,*

45 G. 3. c. 68.

494. An act passed in the 45th year of the reign of King George the Third, intituled, *An Act for making perpetual and amending several laws for encouraging the making of sail-cloth in G. B., and securing the duties on foreign sail-cloth imported; and for making perpetual several laws for permitting the importation of a certain quantity of corn and grain to Guernsey, Jersey, and Alderney, and for regulating the fees of officers of the customs and of naval officers in the British colonies in America, and of officers of the customs in Newfoundland; — and also,*

45 G. 3. c. 96. [Stat. Dig. tit. FISHERY, (Southern Whale,) pl. 304.]

495. An act passed in the 45th year of the reign of King George the

Third, intituled, *An Act for continuing the premiums allowed to ships employed in the southern whale fisheries*;—and also,

45 G. 3. c. 99. [Stat. Dig. tit. Wool, pl. 179.]

496. An act passed in the 45th year of the reign of King George the Third, intituled, *An Act for regulating and encouraging the trade, for the improvement of the revenue, and prevention of smuggling to and from the Isle of Man*;—and also,

45 G. 3. c. 121.

497. An act passed in the 45th year of the reign of King George the Third, intituled, *An Act for the more effectual prevention of smuggling*;—and also,

45 G. 3. c. 122.

498. An act passed in the 45th year of the reign of King George the Third, intituled, *An Act for charging additional duties on the importation of foreign plate-glass in G. B.*;—and also,

45 G. 3. c. 128.—continued until 1st Aug. 1825, by 1 G. 4. c. 54.

499. An act passed in the 45th year of the reign of King George the Third, intituled, *An Act for allowing, under certain restrictions, until the 1st Aug. 1806, the bringing a licensed quantity of coals, culm or cinders to London and Westminster by inland navigation*; and which said act was continued, by an act passed in the first year of the reign of His present Majesty, until the 10th Aug. 1825;—and also,

46 G. 3. c. 9. [Stat. Dig. tit. FISHERY, WHALE, pl. 408, 409.]

500. An act passed in the 46th year of the reign of King George the Third, intituled, *An Act for allowing, until the signature of preliminary articles of peace, vessels employed in the Greenland fishery to complete their full number of men at certain ports*;—and also

46 G. 3. c. 74.

501. An act passed in the 46th year of the reign of King George the Third, intituled, *An Act for permitting Prussian yarn to be imported in foreign ships, on payment of the like duties as if imported in British ships*;—and also,

46 G. 3. c. 81. [Stat. Dig. tit. LACE MANUFACTURE, pl. 6.]

502. An act passed in the 46th year of the reign of King George the Third, intituled, *An Act for the better encouraging the manufacture of thread-lace in G. B.*;—and also,

46 G. 3. c. 82.

503. An act passed in the 46th year of the reign of King George the Third, intituled, *An Act for abolishing fees received by certain officers and other persons employed in the service of the customs in the port of London, and for regulating the attendance of officers and others so employed*;—and also,

46 G. 3. c. 98. [Stat. Dig. tit. QUARANTINE, pl. 7, &c.]

504. An act passed in the 46th year of the reign of King George the Third, intituled, *An Act for making additional and further provision for the effectual performance of quarantine in G. B.*;—and also,

46 G. 3. c. 104.

505. An act passed in the 46th year of the reign of King George the Third, intituled, *An Act for continuing, until the 1st Aug. 1807, an act of the last session of parliament, for allowing, under certain restrictions, the bringing a limited quantity of coals, culm, or cinders to London and Westminster by inland navigation*;—and also,

46 G. 3. c. 116.

506. An act passed in the 46th year of the reign of King George the Third, intituled, *An Act to allow certain articles to be exported from Gibraltar and Malta, direct to H. M.'s colonies in North America, in return for British American fish*;—and also,

46 G. 3. c. 137.

507. An act passed in the 46th year of the reign of King George the Third, intituled, *An Act to extend the provisions of an act made in the 45d year of the reign of His present Majesty, for permitting certain articles to be warehoused in G. B., to other articles not therein mentioned; and to alter the condition of the bond directed to be given by an act of the 24th year of His present Majesty, by the masters and owners of vessels and boats licensed by the lords of the admiralty*;—and also,

46 G. 3. c. 150.

508. An act passed in the 46th year of the reign of King George the Third, intituled, *An Act for the better regulation of the office of receiver-general of the duties of customs in G. B.*;—and also,

47 G. 3. sess. 1. c. 9. [Stat. Dig. tit. Wool, &c., pl. 179.]

509. An act passed in the 47th year of the reign of King George the Third, intituled, *An Act for allowing the exportation annually of a quantity of worsted yarn to Canada*;—and also,

47 G. 3. sess. 1. c. 22.

510. An act passed in the 47th year of the reign of King George the Third, intituled, *An Act to allow, for two years from and after the passing of this act, an additional bounty on double-refined sugar, to such as shall be pounded, crashed, or broken; and to allow for one year certain bounties on British plantation raw sugar exported*;—and also,

47 G. 3. sess. 1. c. 25.

511. An act passed in the 47th year of the reign of King George the Third, intituled, *An Act to allow Turkey tobacco to be imported into G. B. in small packages*;—and also,

47 G. 3. sess. 1. c. 26.

512. An act passed in the 47th year of the reign of King George the Third, intituled, *An Act for extending to German yarn the provisions of an act made in the last session of the last parliament, for permitting Prussian yarn to be imported in foreign ships on payment of the like duties as if imported in British ships*;—and also,

47 G. 3. sess. 1. c. 48.

513. An act passed in the 47th year of the reign of King George the Third, intituled, *An Act to repeal so much of certain acts as relates to the regulations or conditions under which coffee, cocoa-nuts, sugar, and rice (not being the produce of the E. I.), are allowed to be secured in warehouses without payment of duty; and to authorize the collector and controller of the customs in H. M.'s colonies and plantations in America and the West Indies, to administer certain oaths*; and also,

47 G. 3. sess. 1. c. 49. [Stat. Dig. tit. Wool, &c., pl. 179.]

514. An act passed in the 47th year of the reign of King George the Third, intituled, *An Act for permitting the exportation of fullers'-earth, fulling-clay, and tobacco-pipe clay, to any place in possession of H. M.*;—and also,

47 G. 3. sess. 1. c. 51.

515. An act passed in the 47th year of the reign of King George the Third, intituled, *An Act to extend the provisions of an act made in the last session of parliament, for abolishing fees received by certain officers and other persons employed in the service of the customs in the port of London, and for regulating the attendance of officers and others so employed, to the out-ports; and to appropriate the fees of certain abolished and vacant offices in the customs to the superannuation fund*;—and also,

47 G. 3. sess. 2. c. 27.

516. An act passed in the 47th year of the reign of King George the Third, intituled, *An Act to authorize H. M. to permit the importation of naval stores from any place in ships belonging to states in amity with H. M., and navigated in any manner whatsoever*;—and also,

47 G. 3. sess. 2. c. 64.

517. An act passed in the 47th year of the reign of King George the Third, intituled, *An Act to allow the bounty now payable on British calicoes and cottons exported to Gibraltar, to be paid on the same articles when exported to Malta*;—and also,

47 G. 3. sess. 2. c. 66. [Stat. Dig. tit. BOATS, pl. 8—10.]

518. An act passed in the 47th year of the reign of King George the Third, intituled, *An Act to make more effectual provision for the prevention of smuggling*;—and also,

48 G. 3. c. 11.

519. An act passed in the 48th year of the reign of King George the Third, intituled, *An Act for permitting the importation of goods from the Portuguese territories on the continent of South America, in Portuguese ships*;—and also,

48 G. 3. c. 12.

520. An act passed in the 48th year of the reign of King George the Third, intituled, *An Act to amend and continue, until the 25th day of March 1809, so much of an act of the 47th year of His present Majesty, as allows certain bounties on British plantation raw sugar exported*;—and also,

48 G. 3. c. 22.

521. An act passed in the 48th year of the reign of H. M. King George the Third, intituled, *An Act for making perpetual several laws relating to permitting the exportation of tobacco-pipe clay from G. B. to the British sugar colonies in the West Indies, the importation of salt from Europe into Quebec in America, and the prohibiting of foreign wrought silks and velvets*;—and also,

48 G. 3. c. 84.

522. An act passed in the 48th year of the reign of King George the Third, intituled, *An Act for amending and rendering more effectual an act passed in the last session of parliament, to make more effectual provision for the prevention of smuggling; and for regulating the periods for cancelling and delivering up certain bonds relating to the revenue of customs*;—and also,

48 G. 3. c. 95.

523. An act passed in the 48th year of the reign of King George the Third, intituled, *An Act for continuing, until the 1st Aug. 1811, an act of the 45th of His present Majesty, for allowing, under certain restrictions, the bringing a limited quantity of coals, culm, or cinders to London and Westminster by inland navigation*;—and also,

48 G. 3. c. 109.

524. An act passed in the 48th year of the reign of King George the Third, intituled, *An Act to regulate the trade between G. B. and the Portuguese territories on the continent of South America*;—and also,

48 G. 3. c. 124.

[Stat. Dig. tit. FISHERY, (Southern Whale,) pl. 304. 310.]

525. An act passed in the 48th year of the reign of King George the Third, intituled, *An Act for continuing the premiums allowed to ships employed in the southern whale fishery*;—and also,

49 G. 3. c. 17.

526. An act passed in the 49th year of the reign of King George the Third, intituled, *An Act to authorize H. M., during the present war, to make regulations respecting the trade and commerce to and from the Cape of Good Hope; and which said act has been continued by an act passed in the first year of the reign of His present Majesty, until the 5th July 1825;—and also,*

49 G. 3. c. 46.

527. An act passed in the 49th year of the reign of King George the Third, intituled, *An Act to authorize the principal officers of the customs in the British colonies and plantations in America and the West Indies, to examine witnesses upon oath;—and also,*

49 G. 3. c. 59.

528. An act passed in the 49th year of the reign of King George the Third, intituled, *An Act to permit the trade between G. B. and the United States of America to be carried on in ships or vessels belonging to the inhabitants of the said states;—and also,*

49 G. 3. c. 61.

529. An act passed in the 49th year of the reign of King George the Third, intituled, *An Act for making sugar and coffee of Martinique and Mariegalante liable to duty on importation, as sugar and coffee not of the British plantations;—and also,*

49 G. 3. c. 62.

530. An act passed in the 49th year of the reign of King George the Third, intituled, *An Act to amend several acts for the prevention of smuggling; for the better securing the duties on coals, culm, and cinders; and for permitting the exportation of salt, pepper, and wine from Guernsey or Jersey to Sark, in small packages;—and also,*

49 G. 3. c. 65.

[Stat. Dig. tit. JUSTICES OF PEACE, pl. 152. THAMES POLICE, pl. 25. 53—57.]

531. An act passed in the 49th year of the reign of King George the Third, intituled, *An Act for giving jurisdiction to justices of the peace to hear and determine prosecutions for penalties incurred by any offence against the laws relating to the revenue of customs; and also requiring all goods customable and not exciseable, seized by any police or peace-officer, to be brought to the custom-house warehouse in London, after a certain period;—and also,*

49 G. 3. c. 98. [Stat. Dig. tit. WINES, pl. 35.]

532. An act passed in the 49th year of the reign of King George the Third, intituled, *An Act for repealing the several duties of customs chargeable in G. B., and for granting other duties in lieu thereof;—and also,*

49 G. 3. c. 107.

[Stat. Dig. tit. AMERICAN COLONIES, pl. 36—38.]

533. An act passed in the 49th year of the reign of King George the Third, intituled, *An Act for the more effectual recovery of penalties and forfeitures incurred in the British colonies and plantations in America;—and also,*

50 G. 3. c. 20. [Stat. Dig. tit. QUARANTINE, pl. 3—35.]

534. An act passed in the 50th year of the reign of King George the Third, intituled, *An Act for removing doubts as to the power of appointing superintendants of quarantine and their assistants;—and also,*

50 G. 3. c. 40.

535. An act passed in the 50th year of the reign of King George the Third, intituled, *An Act for discontinuing the bounty on exportation of oil of vitriol, and allowing a drawback of a proportion of the duties paid on the importation of foreign brimstone used in making oil of vitriol;—and also,*

50 G. 3. c. 42.

537. An act passed in the 50th year of the reign of King George the Third, intituled, *An Act for consolidating the duties of customs for the Isle of Man, and for placing the same under the management of the commissioners of customs in Eng.;—and also,*

50 G. 3. c. 55.

537. An act passed in the 50th year of the reign of King George the Third, intituled, *An Act to prohibit the importation of Italian silk crapes and tiffanies; and to increase the shares payable to officers in respect of foreign-wrought silks and foreign-manufactured leather-gloves;—and also,*

50 G. 3. c. 61.

538. An act passed in the 50th year of the reign of King George the Third, intituled, *An Act for making sugar and coffee of Guadalope, Saint Eustatia, Saint Martin, and Saba, liable to the same duty on importation as sugar and coffee not of the British plantations;—and also,*

50 G. 3. c. 62.

539. An act passed in the 50th year of the reign of King George the Third, intituled, *An Act for the more effectual prevention of smuggling in the Isle of Man;—and also,*

50 G. 3. c. 110. — continued until 1st Aug. 1825, by 1 G. 4. c. 54.

540. An act passed in the 50th year of the reign of King George the Third, intituled, *An Act to allow, until the 1st Aug. 1811, the bringing of coals, culm, and cinders to London and Westminster by inland navigation; and which said act has been continued by an act passed in*

the first year of the reign of His present Majesty, until the 1st Aug. 1825;—and also,

51 G. 3. c. 43.

541. An act passed in the 51st year of the reign of King George the Third, intituled, *An Act for altering the time at which the additional duties of customs, imposed by an act of the last session of parliament on certain species of wood, were to have taken place; and for granting drawback upon deals and timber used in the mines of tin, copper, and lead, in the counties of Cornwall and Devon;—and also,*

51 G. 3. c. 46. [Stat. Dig. tit. QUARANTINE, pl. 3. 55.]

542. An act passed in the 51st year of the reign of King George the Third, intituled, *An Act to authorize the officers of the customs to act for the superintendent of quarantine and his assistant;—and also,*

51 G. 3. c. 48.

543. An act passed in the 51st year of the reign of King George the Third, intituled, *An Act to permit rum and other spirits, the produce of the British colonies in the West Indies, to be imported into Lower Canada from Nova Scotia and New Brunswick, and the islands of Cape Breton, Prince Edward, and Newfoundland;—and also,*

51 G. 3. c. 50. [Stat. Dig. tit. WOOL, &c. pl. 179.]

544. An act passed in the 51st year of the reign of King George the Third, intituled, *An Act to allow a greater number of sheep to be carried from Eng. to the Isle of Man than are now permitted by law;—and also,*

51 G. 3. c. 52.

545. An act passed in the 51st year of the reign of King George the Third, intituled, *An Act for explaining and amending an act passed in the last session of parliament, for consolidating the duties of customs for the Isle of Man, and for placing the same under the management of the commissioners of customs in Eng.;—and also,*

51 G. 3. c. 62.

546. An act passed in the 51st year of the reign of King George the Third, intituled, *An Act to permit rum and other spirits, the produce of the British colonies in the West Indies, to be imported into Nova Scotia and New Brunswick, and the islands of Cape Breton, Prince Edward, and Newfoundland, from the island of Bermuda;—and also,*

51 G. 3. c. 71.

547. An act passed in the 51st year of the reign of King George the Third, intituled, *An Act for the abolition and regulation of certain offices in the customs;—and also,*

51 G. 3. c. 96.

548. An act passed in the 51st year of the reign of King George the Third, intituled, *An Act to extend the powers vested in the commissioners of the customs, of restoring vessels and goods seized, to seizures made by virtue of any acts relating to the department of the customs;—and also,*

52 G. 3. c. 2.

549. An act passed in the 52d year of the reign of King George the Third, intituled, *An Act to permit sugar, the produce of Martinique, and other conquered islands in the West Indies, to be taken out of warehouses on the payment of the like rate of duty for waste as British plantation sugar;—and also,*

52 G. 3. c. 9.

550. An act passed in the 52d year of the reign of King George the Third, intituled, *An Act to repeal an act of the 25th year of His present Majesty, for better securing the duties on coals, culm, and cinders, and making other provisions in lieu thereof; and for requiring ships in the coal-trade to be measured;—and also,*

52 G. 3. c. 35.

551. An act passed in the 52d year of the reign of King George the Third, intituled, *An Act to prohibit all intercourse between the island of Jamaica and certain parts of the island of Saint Domingo;—and also,*

52 G. 3. c. 55. [Stat. Dig. tit. WOOL, &c. pl. 179.]

552. An act passed in the 52d year of the reign of King George the Third, intituled, *An Act to prevent foreign goods of certain descriptions being brought from the United States of America into Canada, and to allow a greater quantity of worsted yarn to be exported from G. B. to Canada;—and also,*

52 G. 3. c. 100.

553. An act passed in the 52d year of the reign of King George the Third, intituled, *An Act to permit the exportation of goods, wares, and merchandize from any of H. M.'s islands in the West Indies to any other of the said islands, and to and from any of the British colonies on the continent of America, and the said islands and colonies;—and also,*

52 G. 3. c. 106.

554. An act passed in the 52d year of the reign of King George the Third, intituled, *An Act for increasing the duty on rum and other spirits imported into Newfoundland from the British colonies and plantations on the continent of America, and charging a duty on spirits imported into Newfoundland from H. M.'s colonies in the West Indies;—and also,*

52 G. 3. c. 140.

555. An act passed in the 52d year of the reign of King George the

Third, intituled, *An Act to permit the exportation of certain articles to the Isle of Man from G. B.*;—and also,

52 G. 3. c. 141. [Stat. Dig. tit. BOATS, pl. 13—25.]

556. An act passed in the 52d year of the reign of King George the Third, intituled, *An Act to regulate the manner of licensing boats by the commissioners of the customs, and the delivering up of licences in cases of loss or capture of vessels licensed; and for the enabling the commissioners of the customs to purchase certain boats at a valuation*;—and also,

52 G. 3. c. 145. [Stat. Dig. tit. REVENUE, pl. 31—43.]

557. An act passed in the 52d year of the reign of King George the Third, intituled, *An Act for amending and reducing into one act the provisions contained in any laws now in force, imposing the penalty of death for any act done in breach of or in resistance to any part of the law for collecting H. M.'s revenue in G. B., as relates to offences committed in breach of any law relating to H. M.'s customs, or for the preventing of smuggling*;—and also,

52 G. 3. c. 159. [Stat. Dig. tit. WRECK, pl. 37—45.]

558. An act passed in the 52d year of the reign of King George the Third, intituled, *An Act for charging foreign liquors and tobacco, derelict, jetsam, flotsam, lagan, or wreck, brought or coming into G. B., with the duties payable on importation of such liquors and tobacco*;—and also,

53 G. 3. c. 3.

559. An act passed in the 53d year of the reign of King George the Third, intituled, *An Act to amend an act of the last session of parliament, for prohibiting the intercourse between the island of Jamaica and Saint Domingo*;—and also,

53 G. 3. c. 21. [Stat. Dig. tit. PRISON, &c. pl. 217.]

560. An act passed in the 53d year of the reign of King George the Third, intituled, *An Act for authorizing the commissioners of customs and excise to make an allowance for the necessary subsistence of poor persons confined for debts or penalties sued for under their orders*;—and also,

53 G. 3. c. 44.

561. An act passed in the 53d year of the reign of King George the Third, intituled, *An Act for allowing a drawback of the duties upon wines consumed by the officers of the royal marines serving on board H. M.'s ships*;—and also,

53 G. 3. c. 47.

562. An act passed in the 53d year of the reign of King George the Third, intituled, *An Act to empower the officers of H. M.'s customs to take bonds from persons under 21 years of age, serving as mates on board of merchant-vessels*;—and also,

53 G. 3. c. 98.

563. An act passed in the 53d year of the reign of King George the Third, intituled, *An Act for the more correct ascertainment of the value of duty-free goods exported*;—and also,

53 G. 3. c. 105.

564. An act passed in the 53d year of the reign of King George the Third, intituled, *An Act to explain and amend an act of the present session, for granting additional duties of customs on goods, wares, or merchandize imported into and exported from G. B.; for allowing a drawback on carrot-tobacco exported; for altering the duties on pearls imported; for repealing the additional duty on barilla granted by the said act; for allowing a drawback of the additional duties of customs on timber used in the tin, lead, and copper mines of Devon and Cornwall; for ascertaining the time when the bounty on goods exported may be claimed; for better preventing the clandestine exportation of goods; and for appropriating the duties on sugar, the produce of Martinique and other places, granted by an act of this session*;—and also,

53 G. 3. c. 111.

[Stat. Dig. tit. FISHERY, (Southern Whale), pl. 304. 315.]

565. An act passed in the 53d year of the reign of King George the Third, intituled, *An Act for the more easy manning of ships and vessels employed in the southern whale fishery*;—and also,

53 G. 3. c. 125.

566. An act passed in the 53d year of the reign of King George the Third, intituled, *An Act to allow a bounty upon the exportation of stuffs, of silks ornamented with embroidery, tambour, needle-work, lace, or fringe, and upon the exportation of ribbons made of silk mixed with inkle or cotton*;—and also,

54 G. 3. c. 36. [Stat. Dig. tit. EAST INDIA COMPANY, pl. 364.]

567. So much of an act passed in the 54th year of the reign of King George the Third, intituled, *An Act to repeal the duties of customs payable on goods, wares, and merchandize imported into G. B. from any port or place within the limits of the charter granted to the united Co. of merchants trading to the E. I., and to grant other duties in lieu thereof, and to establish further regulations for the better security of the revenue on goods so imported, and to alter the periods of making up and representing certain accounts of the said Co. to parliament, to continue in force until the 10th April 1819, as relates to the revenue of customs*;—and also,

54 G. 3. c. 46.

568. An act passed in the 54th year of the reign of King George the Third, intituled, *An Act for altering the period during which writs of assistance shall remain in force*; and also,

54 G. 3. c. 122.

569. An act passed in the 54th year of the reign of King George the Third, intituled, *An Act to alter the mode of declaring the value of goods imported or exported from G. B.*;—and also,

54 G. 3. c. 171.

570. An act passed in the 54th year of the reign of King George the Third, intituled, *An Act to empower the commissioners of H. M.'s treasury to restore seizures, or remit or mitigate fines, penalties, or forfeitures incurred concerning any law relating to the customs or excise, or navigation and trade of G. B.*; and also,

54 G. 3. c. 185.

571. An act passed in the 54th year of the reign of King George the Third, intituled, *An Act to allow a bounty on the exportation from G. B. of British-made cordage*;—and also,

55 G. 3. c. 10.

572. An act passed in the 55th year of the reign of King George the Third, intituled, *An Act to make further provision respecting the duties payable upon E. I. goods, and to allow bond to be given for payment of the duties upon such goods when imported by private traders*;—and also,

55 G. 3. c. 31.

573. An act passed in the 55th year of the reign of King George the Third, intituled, *An Act to amend certain acts respecting the exportation and importation of sugar, and further to regulate the importation of sugar, coffee, and other articles, from certain islands in the West Indies*;—and also,

55 G. 3. c. 45. [Stat. Dig. tit. FISHERY, (Southern Whale), pl. 304.]

574. An act passed in the 55th year of the reign of King George the Third, intituled, *An Act for continuing the premiums allowed to ships employed in the southern whale fishery*;—and also,

55 G. 3. c. 118.

575. An act passed in the 55th year of the reign of King George the Third, intituled, *An Act to regulate the clearance of vessels and delivery of coast bonds at creeks and harbours in G. B.; for exempting certain ships from being licensed by commissioners of customs; for authorizing officers of the customs to seize spirits removing without excise permits; and for preventing frauds in overloading keels and other carriages used in conveying coals for exportation or to be carried coastwise*; and also,

55 G. 3. c. 129.

576. So much of an act passed in the 55th year of the reign of King George the Third, intituled, *An Act to increase the drawbacks and countervailing duties on tobacco; and to limit the tonnage of ships in which wine may be exported when duties are drawn back, as relates to the revenue of customs*;—and also,

55 G. 3. c. 174.

577. An act passed in the 55th year of the reign of King George the Third, intituled, *An Act to extend the exemption granted by law on coals and culm for which the coast duties have been duly paid, on being again exported and carried to any other place in this kingdom, to cinders or coked coals burnt from pit coals which have paid the coast duties*;—and also,

56 G. 3. c. 9.

578. An act passed in the 56th year of the reign of King George the Third, intituled, *An Act for charging certain duties on foreign packets or passage-vessels entering or departing any of the ports of G. B.*;—and also,

56 G. 3. c. 35.

579. An act passed in the 56th year of the reign of King George the Third, intituled, *An Act for the more effectual and speedy collection of the tonnage duty upon ships inwards; for empowering the lords of the treasury to regulate the hours of officers' attendance in the port of London; and for permitting ships to commence and complete their loading of coals before the delivery of the fitter's certificate*;—and also,

56 G. 3. c. 81.

580. An act passed in the 56th year of the reign of King George the Third, intituled, *An Act to alter the period during which manufacturers of oil of vitriol are to deliver in their accounts*;—and also,

56 G. 3. c. 91.

581. An act passed in the 56th year of the reign of King George the Third, intituled, *An Act to regulate the trade of the colonies of Demerara, Berbice, and Essequibo; to allow the importation into and exportation from such colonies, of certain articles, by Dutch proprietors of the European dominions of H. M. the King of the Netherlands; and to repeal an act of the 54th year of His present Majesty, for permitting a trade between the United Provinces and certain colonies in H. M.'s possession*;—and also,

56 G. 3. c. 93.

582. An act passed in the 56th year of the reign of King George the

Third, intituled, *An Act for enabling officers of the customs at creeks, harbours, and basins of G. B., to take entries of ships and goods arriving from and bound to Ire.*;—and also,

56 G. 3. c. 104.

583. An act passed in the 56th year of the reign of King George the Third, intituled, *An Act for the making more effectual provision for the prevention of smuggling, and rewarding officers and persons making seizures and capturing smuggling vessels; for licensing luggers employed in the north sea fishery, and obliging exporters of excisable goods on drawback to give notice of shipment*;—and also,

57 G. 3. c. 17. [Stat. Dig. tit. STORES, PUBLIC. pl. 2.]

584. An act passed in the 57th year of the reign of King George the Third, intituled, *An Act to repeal, during the continuance of peace, so much of an act of the ninth year of His present Majesty, as prohibits the exportation of pig and bar iron, and certain naval stores, unless the pre-emption thereof be offered to the commissioners of H. M.'s navy*;—and also,

57 G. 3. c. 29.

585. An act passed in the 57th year of the reign of King George the Third, intituled, *An Act to extend to Newfoundland the provisions of an act passed in the 52d year of His present Majesty's reign, for permitting the exportation of goods, wares, and merchandizes from any of H. M.'s islands in the West Indies to any other of the said islands, and to and from any of the British colonies on the continent of America and the said islands and colonies*;—and also,

57 G. 3. c. 33.

586. An act passed in the 57th year of the reign of King George the Third, intituled, *An Act to reduce the allowance of spirits, tea, and tobacco, for the use of the seamen on board certain ships or vessels making short voyages*;—and also,

57 G. 3. c. 58.

587. An act passed in the 57th year of the reign of King George the Third, intituled, *An Act to allow British goods to be exported direct from this country to America, upon the same terms as when exported to any foreign country*;—and also,

57 G. 3. c. 87.

588. An act passed in the 57th year of the reign of King George the Third, intituled, *An Act to amend two acts passed in the 45th year of His present Majesty, and in the last session of parliament, for the making more effectual provisions for the prevention of smuggling*;—and also,

57 G. 3. c. 95.

[Stat. Dig. tit. EAST INDIA COMPANY, pl. 589—593.]

589. An act passed in the 57th year of the reign of King George the Third, intituled, *An Act to exempt the territories within the limits of the E. I. C.'s charter from certain of the navigation laws*;—and also,

57 G. 3. c. 116.

590. An act passed in the 57th year of the reign of King George the Third, intituled, *An Act for limiting the time now allowed by law for production of the certificate of due delivery of goods removed from one warehousing port to another, for the purpose of exportation; for altering the hours for shipping goods in the port of London; and to empower officers of the customs and excise to permit the removal of goods from one bonding warehouse to another in the same port*;—and also,

58 G. 3. c. 15. [Stat. Dig. tit. FISHERY (Whale), pl. 371—372.]

591. An act passed in the 58th year of the reign of King George the Third, intituled, *An Act to amend an act made in the 26th year of His present Majesty, for the encouragement of the fisheries carried on in the Greenland Seas and Davis's Straights, so far as relates to the oaths thereby required to be taken*;—and also,

58 G. 3. c. 34.

592. An act passed in the 58th year of the reign of King George the Third, intituled, *An Act to repeal the several bounties on the exportation of refined sugar from any part of the U. K., and to allow other bounties in lieu thereof, until the 5th July 1820; and for reducing the size of packages in which refined sugar may be exported; and which said act is continued by an act passed in the first year of the reign of His present Majesty, until 1st July 1824*;—and also,

58 G. 3. c. 76.

593. An act passed in the 58th year of the reign of King George the Third, intituled, *An Act to subject foreigners to arrest and detention for smuggling within certain distances of any of the dominions of H. M.; for regulating rewards to the seizing officers, according to the tonnage of vessels or boats seized or condemned; and for the further prevention of the importation of tea, without making due entry thereof with the officers of the customs and excise*;—and also,

59 G. 3. c. 6.

594. An act passed in the 59th year of the reign of King George the Third, intituled, *An Act to enable H. M. to direct the distribution of any reward awarded by the commissioners of the customs or excise, to the officers of the army, navy, or mariners, for apprehending smugglers, in such manner as H. M. shall be pleased to appoint*;—and also,

59 G. 3. c. 39. [Stat. Dig. tit. STAMPS, pl. 67.]

595. So much of an act passed in the 59th year of the reign of King George the Third, intituled, *An Act for the more frequent payment into the receipt of the exchequer at Westminster of monies arising from the duties of customs, excise, stamps, and postage in Eng., as regards payment to be made by the receiver-general of the duties of customs in G. B.*;—and also,

59 G. 3. c. 52.

596. An act passed in the 59th year of the reign of King George the Third, intituled, *An Act to repeal several duties of customs chargeable in G. B., and to grant other duties in lieu thereof*;—and also,

59 G. 3. c. 74.

597. An act passed in the 59th year of the reign of King George the Third, intituled, *An Act to allow the importation of tobacco from the E. I. and other places; and for confining the exportation of tobacco from G. B., and the importation thereof into Ire., to vessels of 70 tons burthen and upwards*;—and also,

59 G. 3. c. 78.

598. An act passed in the 59th year of the reign of King George the Third, intituled, *An Act for transferring the duty of the supervisor of the receiver-general's receipts and payments to the controller-general of the customs in Eng.*;—and also,

59 G. 3. c. 121.

599. An act passed in the 59th year of the reign of King George the Third, intituled, *An Act to make further regulations for the prevention of smuggling*;—and also,

59 G. 3. c. 125.

600. An act passed in the 59th year of the reign of King George the Third, intituled, *An Act to empower the officers of the customs in G. B. to allow reports of vessels cargoes to be amended; to require goods which have been warehoused without payment of duties, or being prohibited, warehoused for exportation, to be put on board vessels by persons licensed for that purpose; to direct that cocquet and bond shall be required for slate and stone carried coastwise; and to empower officers of the customs to administer oaths*;—and also,

59 G. 3. c. 125.

601. An act passed in the 59th year of the reign of King George the Third, intituled, *An Act to admit certain goods imported from the E. I. to entry and payment of duty without being warehoused, and to permit the exportation of certain E. I. goods to Guernsey and Jersey, and the removal of certain E. I. goods to Liverpool, Lancaster, Bristol, and Glasgow, for exportation*;—and also,

59 G. 3. c. 126.

602. An act passed in the 59th year of the reign of King George the Third, intituled, *An Act for requiring the proof, to obtain drawback of duty on coals used or consumed in calcining or smelting tin, copper, or lead ores, in the counties of Devon and Cornwall, as is required on coals used in mines of tin, copper, or lead, in the said counties*;—and also,

1 G. 4. c. 7. [Stat. Dig. tit. EMIGRATION, pl. 2. &c.]

603. An act passed in the first year of the reign of His present Majesty, intituled, *An Act to repeal so much of several acts, as requires bonds to be given to H. M. in certain cases, and the taking of certain oaths in matters relating to the revenue of customs, and to prevent fees being offered or given to officers or other persons in the service of the customs*;—and also,

1 G. 4. c. 8.

604. An act passed in the first year of the reign of His present Majesty, intituled, *An Act to allow a drawback on goods, wares, and merchandizes imported into any British colony or plantation in America, on the exportation thereof to any foreign country to which they may be legally exported*;—and also,

1 G. 4. c. 14.

605. So much of an act passed in the first year of the reign of His present Majesty, intituled, *An Act to repeal the drawback on certain gold articles exported, and to permit the exportation of cordage entitled to bounty, free from right of pre-emption by the commissioners of the navy, as relates to the exportation of cordage*;—and also,

1 G. 4. c. 34.

606. An act passed in the first year of the reign of His present Majesty, intituled, *An Act for the further continuing, until the 1st Jan. 1826, so much of an act passed in the 56th year of His late Majesty as permits subjects of H. M. the King of the Netherlands, to import and export certain articles into and from the colonies of Demerara, Berbice, and Essequibo, in ships not of the built of the dominions of His said Majesty*;—and also,

1 G. 4. c. 43.

607. An act passed in the first year of the reign of His present Majesty, intituled, *An Act to amend the laws relating to smuggling and the coasting trade in G. B.*;—and also,

1 G. 4. c. 61.

608. An act passed in the first year of the reign of His present Ma-

jeſty, intituled, *An Act to charge additional duties on the importation of certain articles into the Isle of Man, and to regulate the trade of the ſaid iſland*; — and alſo,

1 & 2 G. 4. c. 57.

609. An act paſſed in the firſt and ſecond years of the reign of His preſent Maſteſty, intituled, *An Act to repeal the duties of cuſtoms on the importation into G. B. of certain ſorts of wood and timber, and certain drawbacks or allowances in reſpect of ſuch duties, and to grant other drawbacks in lieu thereof*; — and alſo,

1 & 2 G. 4. c. 67.

610. An act paſſed in the firſt and ſecond years of the reign of His preſent Maſteſty, intituled, *An Act for extending the drawbacks on coals uſed in mines and ſmelting-works within the counties of Cornwall and Devon; and for allowing a drawback of the duties on coals uſed in draining coal-mines in the county of Pembroke*; — and alſo,

1 & 2 G. 4. c. 75. [Stat. Dig. tit. WRECK, pl. 46. &c.]

611. So much of an act paſſed in the firſt and ſecond years of the reign of His preſent Maſteſty, intituled, *An Act to continue and amend certain acts for preventing frauds and depredations committed on merchants, ſhip-owners, and underwriters, by boatmen and others; and alſo for remedying certain defects relative to the adjustment of ſalvage in Eng., under an act made in the 12th year of Queen Anne*, as relates to the ſale of goods duty-free to pay the expences of ſalvage and other charges; — and alſo,

1 & 2 G. 4. c. 76. [Stat. Dig. tit. WRECK, pl. 86. &c.]

612. So much of an act paſſed in the firſt and ſecond years of the reign of His preſent Maſteſty, intituled, *An Act to continue and amend certain acts for preventing the various frauds and depredations committed on merchants, ſhip-owners, and underwriters, by boatmen and others, within the jurisdiction of the cinque-ports; and alſo for remedying certain defects relative to the adjustment of ſalvage, under a ſtatute made in the 12th year of the reign of Her late Maſteſty Queen Anne*, as relates to the ſale of goods duty-free to pay the expences of ſalvage and other charges; — and alſo,

1 & 2 G. 4. c. 84.

613. An act made in the firſt and ſecond years of the reign of His preſent Maſteſty, intituled, *An Act to grant duties of cuſtom on certain articles of wood imported into G. B., in lieu of former duties; and to amend an act made in the 59th year of His late Maſteſty, for granting certain duties of cuſtoms in G. B.*; — and alſo,

1 & 2 G. 4. c. 94.

614. An act paſſed in the firſt and ſecond years of the reign of His preſent Maſteſty, intituled, *An Act to regulate the importation of rum into the iſlands of Guernſey, Jerſey, and Sark*; — and alſo,

1 & 2 G. 4. c. 97.

615. An act paſſed in the firſt and ſecond years of the reign of His preſent Maſteſty, intituled, *An Act to amend ſeveral acts relating to the coaſting-trade of G. B.*; — and alſo,

1 & 2 G. 4. c. 104.

616. An act paſſed in the firſt and ſecond years of the reign of His preſent Maſteſty, intituled, *An Act to amend an act of the laſt ſeſſion of parliament for regulating the trade of the Isle of Man, ſo far as relates to the quantity of Muſcovado ſugar to be imported into the ſaid iſland*; — and alſo,

3 G. 4. c. 28.

617. An act paſſed in the third year of the reign of His preſent Maſteſty, intituled, *An Act to continue, ſo long as the bounties now payable on Irish linens when exported from Ire. ſhall continue, the bounties on British and Irish linens exported*; — and alſo,

3 G. 4. c. 43.

618. An act paſſed in the third year of the reign of His preſent Maſteſty, intituled, *An Act for the encouragement of navigation and commerce, by regulating the importation of goods and merchandize, ſo far as relates to the countries or places from whence, and the ſhips in which ſuch importation ſhall be made*; — and alſo,

3 G. 4. c. 44.

619. An act paſſed in the third year of the reign of His preſent Maſteſty, intituled, *An Act to regulate the trade between H. M.'s poſſeſſions in America and the Weſt Indies, and other places in America and the Weſt Indies*; — and alſo,

3 G. 4. c. 45.

620. An act paſſed in the third year of the reign of His preſent Maſteſty, intituled, *An Act to regulate the trade between H. M.'s poſſeſſions in America and the Weſt Indies, and other parts of the world*; — and alſo,

3 G. 4. c. 107.

621. An act paſſed in the third year of the reign of His preſent Maſteſty, intituled, *An Act to allow until the 1ſt Aug. 1823, a drawback of the whole of the duties of cuſtoms on brimſtone uſed and conſumed in the making and preparing oil of vitriol and ſulphuric acid*; — and alſo,

3 G. 4. c. 110.

622. An act paſſed in the third year of the reign of His preſent Maſteſty, intituled, *An Act to amend the laws for the prevention of ſmuggling*; — and alſo,

3 G. 4. c. 119.

623. So much of an act paſſed in the third year of the reign of His preſent Maſteſty, intituled, *An Act to regulate the trade of the provinces of Lower and Upper Canada, and for other purpoſes relating to the ſaid provinces, as relates to the trade between thoſe provinces and the United States of America*; — and alſo,

4 G. 4. c. 2.

624. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act to amend an act of the laſt ſeſſion of parliament for regulating the trade between H. M.'s poſſeſſions in America and the Weſt India iſlands, and other parts of the world*; — and alſo,

4 G. 4. c. 23.

625. So much of an act made in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act to conſolidate the ſeveral boards of cuſtoms, and alſo the ſeveral boards of exciſe of G. B. and Ire., as relates to the boards of cuſtoms*; — and alſo,

4 G. 4. c. 24.

626. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act to make more effectual provision for permitting goods imported to be ſecured in warehouses or other places, without the payment of duty on the firſt entry thereof*; — and alſo,

4 G. 4. c. 25.

627. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act for regulating the number of apprentices to be taken on board British merchant veſſels, and for preventing the deſertion of ſeamen therefrom*; — and alſo,

4 G. 4. c. 26.

628. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act to repeal the duties on certain articles, and to provide for the gradual diſcontinuance of the duties on certain other articles, the manufacture of G. B. and Ire. reſpectively, on the importation into either country from the other*; — and alſo,

4 G. 4. c. 30.

629. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act to regulate the importation and exportation of certain articles ſubject to duties of exciſe, and certain other articles, the produce and manufacture of G. B. and Ire. reſpectively, into and from either country from and to the other*; — and alſo,

4 G. 4. c. 39.

630. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act to continue an act of the laſt ſeſſion of parliament, for allowing a drawback of the whole duty of cuſtoms on brimſtone uſed and conſumed in G. B. in the making or preparing oil of vitriol or ſulphuric acid*; — and alſo,

4 G. 4. c. 41.

631. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act for the registering of veſſels*; — and alſo,

4 G. 4. c. 44.

632. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act to repeal the duties and drawbacks on barilla imported into this kingdom, and to grant other duties in lieu thereof*; — and alſo,

4 G. 4. c. 66.

633. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act to authorize, in certain caſes, the reduction of the duties payable in Ire., and the alteration of the duties and drawbacks on the importation and exportation of goods between G. B. and Ire.*; — and alſo,

4 G. 4. c. 69.

634. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act to repeal certain duties of cuſtoms in G. B., and to grant other duties in lieu thereof; and to grant certain bounties on ſalted provisions and ſilk manufactures exported; and to make more effectual regulations for collecting the duties of cuſtoms*; — and alſo,

4 G. 4. c. 84.

635. An act paſſed in the fourth year of the reign of His preſent Maſteſty, intituled, *An Act to repeal the laws for regulating veſſels carrying paſſengers from the U. K. to foreign parts, and to make other provisions in lieu thereof*; — and alſo,

5 G. 4. c. 21.

636. An act paſſed in the laſt ſeſſion of parliament, intituled, *An Act to reduce the duties on importation of raw or thrown ſilk, and to repeal the prohibition on the importation of ſilk manufactures, and to grant certain duties thereon*; — and alſo,

5 G. 4. c. 22.

637. An act paſſed in the laſt ſeſſion of parliament, intituled, *An Act*

to repeal the duties on all articles the manufacture of G. B. and Ire. respectively, on their importation into either country from the other; — and also,

5 G. 4. c. 34.

638. An act passed in the last session of parliament, intituled, *An Act to reduce the duties on rum, the produce of the British colonies or plantations in America, imported into the U. K.*; — and also,

5 G. 4. c. 35.

639. An act passed in the last session of parliament, intituled, *An Act to continue until the 5th July 1825, the acts for granting bounties on the exportation of refined sugar from the U. K.; and for reducing the size of the packages in which refined sugar may be exported*; — and also,

5 G. 4. c. 43.

640. An act passed in the last session of parliament, intituled, *An Act to alter the duties on the importation of certain articles, and also the duties on coal brought to London; to repeal the bounties on linens exported; and to amend the acts relating to the customs*; — and also,

5 G. 4. c. 46.

641. An act passed in the last session of parliament, intituled, *An Act to continue until the 5th July 1826, the low duties on coals and culm carried coastwise to any port within the principality of Wa.*; — and also,

5 G. 4. c. 47.

642. An act passed in the last session of parliament, intituled, *An Act to alter the laws relating to the duties on the importation, and the prohibition on the exportation of wool, and of hare and coney-skins*; — and also,

5 G. 4. c. 65.

643. So much of an act passed in the last session of parliament, intituled, *An Act to repeal the duties and laws in respect of salt and rock-salt, as relates to the revenue of customs*; — and also,

5 G. 4. c. 76.

644. An act passed in the last session of parliament, intituled, *An Act to continue several acts for establishing regulations for the security of the revenue on goods imported from places within the limits of the charter granted to the E. I. C.; and to grant, until the 25th March 1825, duties on sugar imported from places within the limits of the said charter, in lieu of former duties*; — and also,

5 G. 4. c. 79.

645. So much of an act passed in the last session of parliament, intituled, *An Act to enable certain persons to receive and hold offices in the management, collection, and receipt of the revenue, without taking or subscribing certain oaths and declarations, as relates to the commissioners and officers of the customs*; — and also,

5 G. 4. c. 88.

646. An act passed in the last session of parliament, intituled, *An Act to authorize the E. I. C. to trade direct from China to the British colonies and plantations in America*; — and also,

5 G. 4. c. 94.

647. So much of an act passed in the last session of parliament, intituled, *An Act to allow the averment of the order for prosecution by commissioners of customs or excise to be sufficient proof of the order having been given, as relates to the commissioners or revenue of the customs.*

IRELAND.

Repeal of acts relating to revenue of customs in Ireland.

648. And be it further enacted, That the several acts herein-after mentioned, relating to the revenue of customs in Ire., or so much and such parts of any such acts as are herein-after respectively specified, shall be repealed; that is to say, several acts made in the parliament of Ire., namely,

25 H. 6. c. 3.

649. One act made in the 25th year of the reign of King Henry the Sixth, intituled, *An Act that none shall take custom but within cities, boroughs, or merchant-towns where there is authority to take customs*; — and also,

25 H. 6. c. 10.

650. An act made in the 25th year of the reign of King Henry the Sixth, intituled, *An Act restraining the transportation of bullion*; — and also,

35 H. 6. c. 1.

651. An act made in the 35th year of the reign of the said King Henry the Sixth, intituled, *An Act that Frenchmen, Spaniards, Britons, Portugales, and other nations coming out of other lands with merchandizes, shall pay for every pound of silver that they carry out of the land, 40d. of custom to the King's customer*; — and also,

28 H. 8. c. 22.

652. So much of an act made in the 28th year of the reign of King Henry the Eighth, intituled, *An Act for the weares upon the Barrow and other waters in the county of Kilkenny*; whereby any person is prohibited from taking any custom of any boat or other vessel passing or repassing in or through any of the rivers or waters mentioned in the

said act, or of the owner of any goods, merchandizes, victual, or stuff in any such boat or vessel; — and also,

10 & 11 C. 1. c. 11. s. 5.

653. So much of an act made in the 10th and 11th years of the reign of King Charles the First, intituled, *An Act for the ease of the subject concerning informations upon penal statutes*; whereby it is provided or enacted, that any action, bill, plaint, information, or suit concerning the concealing or defrauding the King, his heirs or successors, of any custom, tunnage, poundage, subsidy, impost, or prisage, may be brought in any of the King's courts at Dublin, and that such offences may be laid or alleged to be in any county, at the pleasure of the informer; — and also,

14 & 15 C. 2. c. 9.

654. An act made in the 14th and 15th years of the reign of King Charles the Second, intituled, *An Act for the settling the subsidy of poundage, and granting a subsidy of tunnage, and other sums of money, unto His royal Majesty, his heirs and successors, the same to be paid upon merchandizes imported and exported into and out of the kingdom of Ire., according to a book of rates hereunto annexed*; — and also,

17 & 18 C. 2. c. 12. s. 2.

655. So much of an act passed in the 17th and 18th years of the reign of King Charles the Second, intituled, *An Act to prevent arrests of judgment and superseding executions*; whereby it is enacted or provided, that the said act shall extend to any writ, bill, action, or information upon any penal statute concerning customs and subsidies of tonnage and poundage; — and also,

4 Ann. c. 7.

656. An act made in the fourth year of the reign of Queen Anne, intituled, *An Act for lessening the duty on rape-seed to be exported*; — and also,

35 G. 2. c. 14. s. 15.

657. So much of an act made in the 33d year of the reign of King George the Second, intituled, *An Act for repealing an act passed in this kingdom in the eighth year of the reign of King George the First, intituled, 'An Act for the better securing the payment of bankers notes,' and for providing a more effectual remedy for the security and payment of debts due by bankers*; whereby it is enacted, that no person who, by reason of any office, employment, deputation, or clerkship, should at any time be intrusted with the receipt, custody, or payment of public money, or any part of the public revenue, shall, either singly or in partnership, so long as such person shall continue in such office, employment, deputation, or clerkship, follow the trade or business of a banker, or by himself, or any other person authorized by him, issue or give any note or accountable receipt as a banker, or in partnership with any banker, or for promise or reward discount any promissory note or inland bill of exchange, so far as the last recited act, and the provisions therein contained, relate to any person holding any office, employment, deputation, or clerkship in the revenue of customs in Ire.; — and also,

21 & 22 G. 3. c. 20. s. 23.

658. So much of an act made in the 21st and 22d years of the reign of His said late Majesty King George the Third, intituled, *An Act for the more speedy and effectual recovery of the King's debts, as relates to the customers, collectors, or receivers of customs and subsidies*; — and also,

27 G. 3. c. 23.

659. An act made in the 27th year of the reign of His said late Majesty King George the Third, intituled, *An Act for the further increase and encouragement of shipping and navigation*; — and also,

27 G. 3. c. 28.

660. An act made in the 27th year of the reign of His said late Majesty King George the Third, intituled, *An Act for regulating the production of manifests; and for more effectually preventing fraudulent practices in obtaining bounties and drawbacks, and in the clandestine re-landing goods*; — and also,

37 G. 3. c. 42.

661. So much of an act made in the 37th year of His late Majesty's reign, intituled, *An Act for regulating and extending the tobacco trade, and for securing the duties payable upon the import and manufacture of tobacco, as relates to the duties of customs upon tobacco*; — and also,

40 G. 3. c. 77.

662. So much of an act made in the 40th year of His said late Majesty's reign, for amending and continuing the said last recited act of the 37th year of His said late Majesty's reign, as relates to the duties of customs on tobacco; — and also,

37 G. 3. c. 52.

663. So much of an act made in the said 37th year of His said late Majesty's reign, intituled, *An Act for regulating the import, export, and sale of coffee, and securing the duties payable thereon, as relates to the duties of customs on coffee*; — and also,

40 G. 3. c. 20. — 43 G. 3. c. 25.

664. An act made in the 40th year of the reign of His said late Majesty

King George the Third, for regulating the payment of bounties on the exportation of certain manufactures of Ire.: and also several acts made in the parliament of the U. K. of G. B. and Ire. relating to the revenue of Ire.; that is to say, an act made in the 43d year of the reign of His said late Majesty King George the Third, intituled, *An Act for the better securing the freedom of elections of members to serve in parliament for any place in Ire., by disabling certain officers employed in the collection or management of H. M.'s revenues in Ire. from giving their votes at such elections*; — and also,

43 G.3. c.155.

665. So much of an act made in the 43d year of the reign of King George the Third, intituled, *An Act to permit, during the continuance of hostilities, and until six months after the ratification of a definitive treaty of peace, the importation into G. B. and Ire. in neutral vessels, from states in amity with H. M., of certain wares, goods, and merchandize; and to empower H. M. by order in council to prohibit the exportation of copper, and to permit the importation, in neutral vessels, from states not in amity with H. M., of certain goods, wares, and merchandize, as shall be in force immediately before the passing of this act*; — and also,

44 G.3. c.57.

666. An act made in the 44th year of the reign of King George the Third, intituled, *An Act to exempt from duties on export all linens of the manufacture of the U. K.*; — and also,

45 G.3. c.18.

667. So much of an act made in the 45th year of the reign of King George the Third, intituled, *An Act for granting to H. M., until the 25th March 1806, certain rates and duties, and to allow certain drawbacks and bounties, upon goods, wares, and merchandize imported into and exported from Ire., in lieu of former rates and duties, drawbacks, and bounties, as shall be in force immediately before the passing of this act*; — and also,

45 G.3. c.108.

668. An act made in the said 45th year of the reign of His said late Majesty, intituled, *An Act to continue, until the 29th Sept. 1806, several acts for the better collection and security of the revenues of customs and excise in Ire., and for preventing frauds therein*; — and also,

46 G.3. c.29.

669. So much of an act passed in the 46th year of the reign of King George the Third, among other things, for continuing several laws relating to the granting a bounty upon certain species of *British and Irish* linens exported from G. B., and for reviving and continuing several laws relating to the regulating the prices at which corn and grain may be exported from G. B. to Ire., and from Ire. to G. B., and to the prohibiting the exportation from Ire. of corn or potatoes, or other provisions, and to the permitting the importation into Ire. of corn, fish, and provisions, without payment of duty; and for reviving and continuing an act of the parliament of Ire., for the encouragement of the flaxen and hempen manufactures of Ire., as continues certain duties on certain calicoes, muslins, and linens imported into Ire., and as shall be in force at the time of the passing of this act, with relation to any duties of customs in Ire.; — and also,

46 G.3. c.58.

670. So much of an act passed in the said 46th year of the reign of King George the Third, intituled, *An Act for establishing certain regulations in the collection and management of H. M.'s revenues of customs, excise, and taxes, in Ire., as relates to the said revenues of customs*; — and also,

46 G.3. c.87.

671. So much of an act made in the said 46th year of the reign of King George the Third, intituled, *An Act more effectually to regulate the collection of the duties on goods, wares, and merchandize imported or exported into or from Ire., and the payment of bounties, allowances, and drawbacks thereon, as relates to the revenues of customs*; — and also,

46 G.3. c.106.

672. So much of an act made in the said 46th year of the reign of King George the Third, intituled, *An Act to provide for the better execution of the several acts relating to the revenues, matters, and things under the management of the commissioners of customs and port duties, and of the commissioners of inland excise and taxes, in Ire., as relates to the revenues of customs*; — and also,

46 G.3. c.120. s.3.

673. So much of an act made in the 46th year of the reign of King George the Third, among other things, for continuing several acts for granting rates and duties, and allowing drawbacks and bounties on goods, wares, and merchandize imported into and exported from Ire., whereby it is enacted, that whenever any article is by law entitled to a bounty on the importation or exportation thereof, no duty shall be paid on the importation or exportation of any article on which such duty shall be paid and allowed; — and also,

47 G.3. sess.2. c.16.

674. So much of an act made in the said 47th year of the reign

of King George the Third, intituled, *An Act to grant to H. M., until the 5th July 1808, certain duties on the importation, and to allow drawbacks on the exportation of certain goods, wares, and merchandize, into and from Ire., as shall be in force at the time of the passing of this act, relating to the revenues of customs*; — and also,

47 G.3. sess.2. c.58.

675. An act made in the said 47th year of the reign of King George the Third, intituled, *An Act for encouraging the exportation of salt from Ire.*; — and also,

47 G.3. sess.2. c.61.

676. An act made in the said 47th year of the reign of King George the Third, intituled, *An Act to repeal certain duties on foreign goods, wares, and merchandize exported from G. B. to Ire.*; — and also,

48 G.3. c.44.

677. An act made in the said 48th year of the reign of King George the Third, intituled, *An Act to prevent the exportation of wool to Ire. before bond given for the due landing thereof*; — and also,

48 G.3. c.56.

678. So much of an act made in the said 48th year of His said late Majesty's reign, intituled, *An Act for abolishing fees received by officers in the service of the customs in the several ports of Ire., and for regulating the hours of attendance and the number of holidays to be observed by the said officers, and certain officers of excise, as relates to the officers of the customs*; — and also,

48 G.3. c.62.

679. So much of an act made in the 48th year of the reign of King George the Third, intituled, *An Act for the making perpetual several acts for the better collection and security of the revenues of customs and excise in Ire., and for preventing frauds therein, and to make further provision for the security of the said revenues, and for the execution of the several acts relating thereto, as relates to the said revenue of customs*; — and also,

49 G.3. c.99.

680. So much of an act made in the 49th year of the reign of King George the Third, intituled, *An Act to amend the several acts for regulating and securing the collection of the duties on spirits distilled in Ire., and for regulating the sale of such liquors by retail, as relates to the importation into Ire. of stills, or metal prepared for stills*; — and also,

49 G.3. c.116.

681. So much of an act made in the said 49th year of the reign of King George the Third, intituled, *An Act to make further provision for the execution of the several acts relating to the revenues, matters, and things under the management of the commissioners of customs and port duties, and of the commissioners of inland excise and taxes, in Ire., as relates to the duties of customs*; — and also,

51 G.3. c.58.

682. So much of an act made in the 51st year of the reign of King George the Third, intituled, *An Act to allow the free importation between G. B. and Ire. of home-made chocolate; to prohibit the importation of foreign chocolate into Ire., so long as the same shall be prohibited in G. B.; and to grant certain duties on cocoa-nuts imported into Ire.; as shall be in force immediately before the passing of this act*; — and also,

52 G.3. c.76.

683. An act made in the 52d year of the reign of King George the Third, intituled, *An Act to amend several acts relating to the revenue of customs and port duties in Ire.*; — and also,

53 G.3. c.55.

684. So much of an act made in the 53d year of the reign of King George the Third, for continuing certain rates, duties, and drawbacks on goods, wares, and merchandize imported into and exported from Ire., as shall be immediately in force before the passing of this act; — and also,

54 G.3. c.81.

685. So much of an act made in the 54th year of the reign of King George the Third, intituled, *An Act to continue, until the 5th July 1815, and to amend several acts for granting certain rates and duties, and for allowing certain drawbacks and bounties on goods, wares, and merchandize imported into and exported from Ire.; and to grant, until the said 5th July 1815, certain new duties on the importation, and to allow drawbacks on the exportation of certain goods, wares, and merchandize into and from Ire.; and to make further regulations for securing the collection of the said duties, as shall be in force immediately before the passing of this act*; — and also,

54 G.3. c.103.

686. So much of an act made in the said 54th year of the reign of King George the Third, intituled, *An Act to grant, until the 10th April 1819, certain duties on goods, wares, and merchandize imported into Ire. from any port or place within the limits of the charter granted to the united Co. of merchants of Eng. trading to the E. I., and to establish*

further regulations for the better security of the revenue on goods so imported, as shall be in force immediately before the passing of this act; — and also,

54 G.3. c.120.

687. So much of an act made in the said 54th year of the reign of King George the Third, intituled, *An Act to amend several acts relating to the revenues, matters, and things under the management of the commissioners of customs and port duties, and of the commissioners of inland excise and taxes, in Ire., as relates to the duties of customs; — and also,*

54 G.3. c.129.

688. So much of an act made in the 54th year of the reign of King George the Third, intituled, *An Act to grant to H. M. rates and duties, and to allow drawbacks and bounties, on certain goods, wares, and merchandize imported into and exported from Ire., in lieu of former rates and duties, drawbacks, and bounties, as shall be in force immediately before the passing of this act; — and also,*

55 G.3. c.14.

689. So much of an act made in the 55th year of the reign of King George the Third, intituled, *An Act to impose certain duties on the importation, and to allow drawbacks on the exportation of certain sorts of wood into and from Ire., in lieu of former duties and drawbacks on the like sorts of wood; and to indemnify persons who have admitted certain sorts of wood to entry on payment of a proportion only of the duty imposed thereon, as relates to the duties imposed by the said act; — and also,*

55 G.3. c.24.

690. An act of the said 55th year of the reign of King George the Third, intituled, *An Act to grant certain duties of customs on the exportation of certain goods, wares, and merchandize from Ire., in lieu of the duties of customs heretofore payable on such exportation; — and also,*

55 G.3. c.82.

691. So much of an act made in the said 55th year of the reign of King George the Third, intituled, *An Act to grant duties of customs and to allow drawbacks and bounties on certain goods, wares, and merchandize imported into and exported from Ire., in lieu of former duties, drawbacks, and bounties; and to make further regulations for securing the duties of customs in Ire., as shall be in force immediately before the passing of this act; — and also,*

55 G.3. c.83.

692. An act made in the said 55th year of the reign of King George the Third, intituled, *An Act to regulate the payment of the duties of customs on foreign goods imported into G. B. from Ire., or into Ire. from G. B., and of the drawbacks on the exportation of goods the growth, produce, or manufacture of G. B. or Ire., having been imported into either country from the other; — and also,*

55 G.3. c.144.

693. An act made in the said 55th year of the reign of King George the Third, intituled, *An Act to enable the commissioners of customs and port duties in Ire. to purchase premises for the erecting additional docks, warehouses, and offices in Dublin; — and also,*

56 G.3. c.20.

694. So much of an act made in the 56th year of the reign of King George the Third, intituled, *An Act to make further provision for the execution of the several acts relating to the revenues, matters, and things under the management of the commissioners of customs and port duties, and of the commissioners of inland excise and taxes, in Ire., as relates to the duties of customs; — and also,*

56 G.3. c.85.

695. So much of an act made in the said 56th year of the reign of King George the Third, intituled, *An Act to make further regulations for securing the collection of the duties of customs and excise in Ire., and for the importation into Ire. of American staves, and of old plate and books from G. B., as relates to the duties of customs; — and also,*

57 G.3. c.73.

696. An act made in the 57th year of the reign of King George the Third, intituled, *An Act to allow the exportation of woollen and bay yarn from Ire., by licence obtained there; — and also,*

59 G.3. c.73.

697. An act made in the 59th year of the reign of King George the Third, intituled, *An Act to repeal several acts requiring the masters of vessels carrying certificate goods to Ire. to take duplicates of the contents, prohibiting the importation of certain wrought goods, and the exportation of gunpowder when the price shall exceed a certain sum; — and also,*

59 G.3. c.82.

698. An act made in the said 59th year of His said late Majesty's reign, intituled, *An Act to amend an act made in the 55th year of the reign of King George the Third, for enabling the commissioners of customs and port duties in Ire. to purchase premises for erecting docks, warehouses, and offices in Dublin; — and also,*

59 G.3. c.83.

699. An act made in the said 59th year of the reign of King George the

Third, intituled, *An Act to grant duties of customs and to allow drawbacks on certain goods, wares, and merchandize imported into and exported from Ire., in lieu of former duties and drawbacks on the like articles; and to make further regulations for securing the duties of customs in Ire.; — and also,*

1 G.4. c.80.

700. An act made in the first year of the reign of His present Majesty, intituled, *An Act allowing importers of sugar in Ire. to give certificates for sugar sold by them, in lieu of permits; — and also,*

1 & 2 G.4. c.19.

701. An act made in the second year of His present Majesty's reign, intituled, *An Act to permit the removal of certain goods from G. B. to Ire., and from Ire. to G. B., by cockets, certificates, let-pass, or transire; — and also,*

1 & 2 G.4. c.103.

702. An act made in the second year of His present Majesty's reign, intituled, *An Act to authorize the collectors of customs in Ire. to bring to account the proceeds of goods sold under the provisions of the warehousing act; — and also,*

4 G.4. c.72.

703. So much of an act made in the fourth year of His present Majesty's reign, intituled, *An Act to repeal the several duties and drawbacks chargeable and allowable in Ire. on the importation and exportation of certain foreign and colonial goods, wares, and merchandize, and to grant other duties and drawbacks in lieu thereof, equal to the duties and drawbacks chargeable and allowable thereon in G. B., as relates to the revenue of customs.*

704. And the said several acts and parts of acts before mentioned, recited, and set forth, so far as the same shall be in force at the time of the commencement of this act, are hereby accordingly repealed; except so far as the said acts or any of them, or any thing therein contained, repeal any former act or acts, or any part thereof, and all and every which said act or acts, or the parts thereof, so repealed, shall remain and continue repealed to all intents and purposes whatsoever; and except so far as relates to any arrears of duties or drawbacks which shall have become due and payable, or any penalty or forfeiture which shall have been incurred; and save and except so far as any of the said acts which relate to Ire. create or regulate any jurisdiction for the trial of offences committed in Ire.

STOCKS (See CHANCERY).

1. To regulate the performance of certain contracts, and to authorize the courts of chancery and exchequer to make orders in cases which may arise out of the conversion of certain annuities of 5 per cent. per ann. into annuities of 4 per cent. per ann., and for paying off such proprietors of 5 per cent. annuities as shall dissent from receiving 4 per cent. annuities in lieu thereof, 3 G.4. c.61.

2. Reciting the 3 G.4. c.9. for transferring the 5 per cents. into 4 per cents., and the 3 G.4. c.17. for the like purpose in Ire.; and whereas many persons may be bound by the conditions of bonds, or the terms of contracts or trusts, or as executors under wills executed, entered into, or made before the said acts were passed, to transfer specific amounts of 5 per cent. stock at periods posterior to the reduction of the 5 per cents., or to pay certain annuities out of dividends upon such 5 per cent. annuities, which such persons will be disabled from doing in consequence of such acts; and it is expedient to provide for the mode of executing such bonds, contracts, or wills: be it enacted, That in case any person shall, at the passing of this act [15th June 1822], be or remain bound by the condition of any bond or obligation, or by any instrument in writing, or by any agreement or contract entered into before the passing of the recited acts [viz. 15th March 1822, and 3rd April 1822], to transfer stock in the 5 per cent. annuities, the condition of every such bond, or the terms of every such instrument in writing, or agreement, or contract, shall be deemed in law and equity to be satisfied by making a transfer of 105l. capital stock in the new 4 per cent. annuities in lieu of every 100l. capital stock in the said 5 per cent. annuities, and so in proportion; and where any party is so bound or required to pay half-yearly sums equal to the dividends on any specified amount of 5 per cent. annuities, every such bond, instrument, agreement, or contract, shall be satisfied by the payment of half-yearly sums equal to the dividends upon an equivalent amount of the new 4 per cent. annuities calculated as aforesaid, 3 G.4. c.61. s.1.

3. Provided, that in every case in which any such 5 per cent. annuities shall have been transferred in the way of loan, upon any condition in

any bond or instrument, or under or upon any agreement or contract, to replace the amount of stock transferred, it shall be lawful for the person who shall have made such loan, their executors, administrators, or assignees, to declare an option, and give notice thereof in writing, and thereby require the repayment of 100*l.* for every 100*l.* capital stock of 5 *per cent.* annuities, so transferred in the way of loan, and so in proportion for any greater or less amount; and every bond, obligation, instrument, agreement, or contract, given upon any such loan or contract, shall be deemed in every such case, in law and in equity, to entitle the person to such repayment in money, and to demand and recover the same in any court; any thing in any such bond, instrument, agreement, or contract, to the contrary notwithstanding, 3 G. 4. c. 61. s. 2.

4. Every power of attorney, in force before 15th March 1822 in Eng., or 3d April 1822, Ire., for the sale or transfer of any such 5 *per cent.* annuities, in respect of which any dissent may have been signified shall remain in full force, unless legally revoked, for the purpose of enabling the attornies to give a legal discharge for the principal and dividend of such annuities when paid off, under 3 G. 4. c. 9 or 17., 3 G. 4. c. 61. s. 3.

5. And all powers of attorney which would have remained in force if this act had not passed, for the receipt of dividends, or for sale or transfer of 5 *per cent.* annuities, and which have been or shall be converted into 4 *per cent.* annuities, shall remain in full force, for receiving the dividends which shall become due on the 4 *per cent.* annuities created in lieu thereof, or for selling or transferring any such 4 *per cent.* annuities, and also for receiving dividends on any further sum of 4 *per cent.* annuities, which the parties by whom such letters of attorney were given may hereafter purchase, until such powers are revoked, 3 G. 4. c. 61. s. 4.

6. All such 5 *per cent.* annuities, in respect of which any dissent shall have been signified which shall in consequence be paid off, shall, immediately upon such payment being made, and a discharge given for the same, be cancelled at the banks of Eng. or Ire. respectively; and a certificate of the amount so cancelled shall be transmitted to the commissioners for the reduction of the national debt, 3 G. 4. c. 61. s. 5.

7. All trusts, whether created by will or otherwise, and which existed either in the whole or in part, and all directions contained in any will or devise, or testamentary paper which remained unexecuted on 15th March 1822 in Eng., or 3d April 1822 in Ire., as to any 5 *per cent.* annuities which have been converted into 4 *per cent.* annuities, or as to the payment or distribution of any dividends thereon, or as to the transfer of any such annuities, in any events specified in any such trusts, or will, or testamentary paper, shall extend in all cases, and in all courts of law and equity in any of H. M.'s dominions, to all such 4 *per cent.* annuities created in lieu of any 5 *per cent.* annuities subject to or affected by any such trusts or devises: provided that in all cases in which any proportions of any such 5 *per cent.* annuities are required to be transferred, under any such trusts or will, or any proportion of any dividends arising from any such 5 *per cent.* annuities are required to be paid or distributed, the transfer of a like proportion of 4 *per cent.* annuities, calculated in the proportion of 105*l.* 4 *per cent.* annuities for every 100*l.* 5 *per cent.* annuities, and the payment of like proportion of dividends at the rate of 4 *per cent.* instead of 5 *per cent.* upon the capital so calculated, shall be deemed in all courts and for all purposes, to be a due execution of such trusts, or of the directions contained in any will, and shall fully discharge the trustee or executor who are hereby indemnified therefore, 3 G. 4. c. 61. s. 6.

8. In every case in which any question may have arisen or may arise, upon the execution of any trusts, or upon any distributions which may have been or may be made, or may remain to be made, by any trustees, executors, or administrators, of or in relation to, or arising out of any such 5 *per cent.* annuities, which may have been vested in any trustees, or distributable by any executors or administrators, or as to the application of any residue thereof, or as to the distribution of any 4 *per cent.* annuities transferred under the said acts in lieu of any 5 *per cent.* annuities, whether as to the powers or authorities of any such trustees, executors, or administrators, or as to the relative interest of any persons entitled under any such trusts or under wills to receive any annuities charged upon, or arising, or payable out of the proceeds of any such 5 *per cent.* annuities, and of any person interested in any residue of any such 5 *per cent.* annuities, whether under any specific provision relating to any such trusts, or contained in any wills, or arising out of the execution of any wills by any executors, or the distribution of any estate by any administrators: and in all other cases whatever in which any question may arise in consequence of the transfer of any such 5 *per cent.* annuities into 4 *per cent.* annuities, it shall be lawful for any such trustees, executors, or administrators, and for any persons entitled to or interested in any such 5 *per cent.* annuities, or any 4 *per cent.* annuities created in lieu thereof, or in any proceeds of any such annuities, whether in reversion or otherwise, to make application to the high courts of chancery, or to the courts of exchequer in Eng. or Ire. respectively, or to the court of session in Scot., in a summary way, either

by motion or petition; and it shall be lawful for the said courts to make general orders in relation to any such question, or special orders in a summary way upon any such application, or as to any other matter or thing relating to any such annuities, or to any dividends thereof, or to any 4 *per cent.* annuities which may be created in lieu thereof, or to the application of any such 4 *per cent.* annuities, or any dividends thereof; and no application, petition, or affidavit, made by or on behalf of any trustees, executors, or administrators, or other persons interested in any such annuities, or any dividends thereof respectively, nor any order or report made, or other proceeding had in any of the said courts in consequence of any question which may arise out of the said acts in relation to the said 5 *per cent.* annuities, or any part or share thereof, or in relation to any 4 *per cent.* annuities which may be created under the said act in lieu of the said 5 *per cent.* annuities, or the dividends thereof; nor any copy or copies of such application, petition, affidavit, order, report, or other proceeding, shall be liable to be stamped; and all justices, executors, administrators, and other persons acting under any orders made by any of such courts, or whose acts shall be confirmed by such courts, if done before any application made to any of such courts shall be indemnified against all actions, suits, or proceedings, for or in respect of any act, matter, or thing done by them in pursuance of such order, or which shall be confirmed by any such order; and in case any action, &c. is commenced against any such trustee, executor, &c. for any act, &c., it shall be lawful for the courts where such action, &c. is commenced, or pending, on summary application to stay, and such court shall stay such action, &c. and make such order relative to the costs thereof as such court thinks expedient, 3 G. 4. c. 61. s. 7.

9. It shall be lawful for the commissioners for the reduction of the national debt, to accept and receive new 4 *per cent.* annuities, created by 3 G. 4. c. 9., as the consideration for the purchase of life annuities; and for the purpose of ascertaining the price of such stock, the cashiers of the bank of Eng. shall, on every day on which any of the said annuities shall have been bought at the bank of Eng., cause an account to be made out of the average price thereof according to the regulations prescribed by any acts in force for ascertaining the average price of 3 *per cent.* bank annuities, for enabling the purchase of life annuities; which said account shall be transmitted to the officer appointed by the commissioners, to enable him to ascertain the amounts of the like annuities which may be purchased by the transfer of such new 4 *per cent.* bank annuities, 3 G. 4. c. 61. s. 8.

10. When any new 4 *per cent.* bank annuities shall be transferred to the said commissioners, for the purchase of life annuities, such 4 *per cent.* bank annuities shall be first converted, by the computation of the said officer, into 3 *per cent.* reduced or consolidated bank annuities (at the option of the purchaser) according to the average price of those stocks; and the life annuities to be granted thereon shall be calculated upon the amount of 3 *per cent.* bank annuities, including fractions (if any), produced by such conversion, according to regulations prescribed by any acts now in force, enabling such commissioners to grant life annuities, 3 G. 4. c. 61. s. 9.

11. It shall be lawful for the commissioners of the treasury, out of any of the aids which have been or which may hereafter be granted by parliament, to issue to the bank of Eng. or Ire., such sums as may be necessary for paying off any proprietors who may dissent from accepting 4 *per cent.* in lieu of 5 *per cent.* annuities, and also for paying the proportion of the dividend which may have accrued on the said 5 *per cent.* annuities, up to the day or days which may be appointed by the commissioners of the treasury for paying off such proprietor, and which shall in no case be less than 10 days from the day of signifying such dissent, 3 G. 4. c. 61. s. 10.

12. To permit the mutual transfer of capital in certain public stocks or funds transferrable at the banks of Eng. and Ire. respectively, 5 G. 4. c. 53. [The title of this act seems to suffice in this place as showing its existence.]

SWEARING.

1. To amend an act passed in the 19th year of the reign of His late Majesty King George the Second, intituled, *An Act more effectually to prevent profane cursing and swearing*, 4 G. 4. c. 31.

2. Whereas 19 G. 2. c. 21. s. 13. [Stat. Dig. this title, pl. 14.] was passed, whereby it is enacted as therein mentioned, and whereas it is expedient to repeal the same: be it enacted, That so much of the said statute as is herein-before recited, shall be repealed, (4 G. 4. c. 31. s. 1.) PUBLIC CLAUSE, 4 G. 4. c. 31. s. 2.

TAXES, ASSESSED.

I. Officers.—II. Duties.—III. Compounding.

I. Officers.

1. To amend the laws relating to the land and assessed taxes, and to regulate the appointment of receivers-general in *Eng.* and *Wa.*, 3 G. 4. c. 88., [AMD. as to allowance to clerks, &c. 6 G. 4. c. 7. s. 1. See 6 G. 4. c. 32. s. 6. tit. LAND-TAX, *pl.* 13.]

2. Whereas it is expedient to amend the laws relating to the land-tax and assessed taxes, and compositions for assessed taxes, so far as respects the receipt and payment of the monies arising therefrom by the receivers-general in *Eng.* and *Wa.*; be it therefore enacted, That so much and such parts of the several acts relating to the said taxes, and compositions for assessed taxes, or either of them, which allow a compensation to each receiver-general in *Eng.* and *Wa.* by a pound rate on the sums by him respectively paid into the receipt of H. M.'s exchequer, or which require the said receivers-general to appoint sufficient deputies to receive the said taxes, shall, from and after the 5th April 1822, in respect of the assessments of the said taxes, and the contracts of compositions thereafter made, be and the same are hereby repealed, 3 G. 4. c. 88. s. 1.

3. Every person who, after the 5th April 1822, shall be appointed by H. M., or by the commissioners of H. M.'s treasury of the U. K. for the time being, or any three or more of them, to be receiver-general of the said taxes, or either or any of them, and any other taxes or sums of money under the care and management of the commissioners for the affairs of taxes; and every other person to be appointed by the said commissioners of H. M.'s treasury, to do or perform any part of the duty of any such receiver-general; and the several officers appointed or to be appointed by the said commissioners of H. M.'s treasury, now or for the time being, or any three or more of them, for the survey and inspection of any of the said taxes; and all other persons appointed or to be appointed by the respective commissioners acting in the execution of the said acts, in the several counties, divisions, cities, towns, parishes, wards, and places within *Eng.* or *Wa.*, shall severally and respectively observe and be subject to the rules and regulations set forth in this act, and the penalties therein contained; which rules and regulations shall be deemed a part of this act, as if the same had been severally inserted herein under special enactment, 3 G. 4. c. 88.

No. I.—RULES and regulations touching the office of receiver-general.

First.—Every receiver-general to be appointed as aforesaid shall be entitled to such annual salary, payable half-yearly by equal portions, as the said commissioners of the treasury for the time being, or any three or more of them, shall appoint, not in any case exceeding the sum of 600*l.* per ann., to be allowed to him out of any monies in his hands of the said taxes, by virtue of the warrant of the commissioners for the affairs of taxes for the time being, or any two or more of them.

Second.—Every receiver-general to be appointed as aforesaid shall be, on his first appointment, charged with the stamp-duty payable by law on the bond to be given in such case, and every renewed or succeeding appointment of the same person shall be free of stamp-duty; but such receiver-general shall not be required to renew his bond under each or any new or succeeding appointment, except in the case of any change in his security, or under circumstances that may render any such renewed bond necessary, under the directions of the said commissioners of the treasury, which renewed bonds shall also be free of stamp-duty; and such receiver-general shall not in any case be liable to or charged with any fee or gratuity on his commission, warrant, or other instrument to be obtained or had, either on his first appointment or on any renewed or succeeding appointment to the said office, nor to any fee or gratuity for any matter or thing incident to the execution of his office, or for auditing or passing his accounts either in H. M.'s treasury, the office for taxes, or in any office of the court or receipt of exchequer.

Third.—Every receiver-general to be appointed as aforesaid shall execute the duties of the said office in person, without any deputy or deputies, unless he shall be required or authorized, in cases of illness or other temporary or sufficient cause, to appoint a deputy or deputies with the approbation of the said commissioners of H. M.'s treasury, by the commissioners for the affairs of taxes.

Fourth.—Every receiver-general to be appointed as aforesaid shall

attend at such places, and observe such route in proceeding from place to place, for the receipt of the said taxes from the several collectors of the parishes, wards, or places within the limits assigned to him, and at such times, and from time to time, as shall be settled with him, and approved by the commissioners for the affairs of taxes: provided always, that it shall be lawful for the said commissioners of H. M.'s treasury, or any three or more of them, to allow every such receiver-general an allowance not exceeding 2*s.* per mile, and one guinea per day, for his travelling expences, when absent from home upon his quarterly or half-yearly receipt; and also a like allowance if travelling upon an extraordinary occasion, by the direction of the commissioners for the affairs of taxes: provided also, that whenever the said commissioners of the treasury shall require any receiver-general to keep open an office daily or weekly, or on two or more days in each week, except *Sundays* and *Christmas Day*, for the receipt of the taxes of his district or any part thereof, it shall be lawful for the said commissioners of the treasury to assign an additional salary and allowance for the expences incident to his said office, over and above the salary and allowance herein limited, to be paid out of the said taxes, in manner herein-before directed: provided always, that an account of the salaries, allowances, or other emoluments, in any manner accruing to the several receivers-general of the taxes under this act, shall be annually laid before both houses of parliament within 20 days after the meeting thereof.

Fifth.—It shall be lawful for the said commissioners of the treasury to contract, or to authorize the said commissioners for the affairs of taxes to contract with any receiver-general, or any other person or persons, to remit the taxes collected and received, and paid to the receiver-general, or his deputy, authorized as aforesaid, to be by such person or persons paid, or caused to be paid, into the receipt of H. M.'s exchequer at *Westminster*, at such time or times, and in such manner as shall be specified in such contract; and also to contract in like manner with the same or any other person or persons, to receive from the collectors residing within the limits specified in their respective contracts, all such taxes as shall remain in the hands of any collector or collectors, or shall have been collected by him or them since the last circuit of receipt of the receiver-general, or his deputy, or to be collected by any collector or collectors aforesaid, at any time or times in the same or succeeding quarter of the year after the last half-yearly circuit of receipt, by any receiver-general or his deputy, upon such terms and conditions as shall be specified in such contracts respectively, of which contract or contracts the respective commissioners shall have notice, and from time to time shall make such order or orders for the payment of the monies from time to time collected or received by the respective collectors aforesaid, as by this act is directed.

Sixth.—It shall be lawful for every receiver-general who shall not contract to remit the taxes by him received into the receipt of H. M.'s exchequer, under the regulations prescribed by the said commissioners of H. M.'s treasury, to pay over the same to such person or persons as shall be authorized as aforesaid to pay the same into the said receipt of exchequer, and who shall attend such receiver-general for that purpose; and the receipt of such authorized person or persons, in duplicate, shall be a full discharge and acquittance to such receiver-general; and the first of every receipt in duplicate so given shall be transmitted to the commissioners for the affairs of taxes; and the second of every such receipt shall remain with the said receiver-general as his voucher in passing his accounts; and every such receipt shall be free of stamp-duty.

Seventh.—Whenever any receiver-general shall be required to keep open daily or weekly (except as before excepted) an office for the receipt of taxes within his district, it shall be lawful for such receiver-general, and he is hereby required, to fix the day or days for receiving the same from each collector whose place of residence shall be within 10 miles of the said office, according to such course, order, and rotation as shall be approved by the commissioners for the affairs of taxes, or any three or more of them; according to which rotation every such collector shall attend to make his payment, so that each such collector may attend four or a less number of days in each quarter of a year, or quarterly, as the commissioners of the district shall think expedient, and shall certify to the commissioners for the affairs of taxes according to the said course, order, and rotation; of which day or days of payment due notice shall be given to the respective commissioners acting in the execu-

tion of the said acts and this act; and where the residence of any collector or collectors within the district of any such receiver-general mentioned in this rule shall not be within the distance before mentioned, the receipts of the monies from time to time collected by them shall be held by the deputy of such receiver-general, in the manner prescribed in this act in regard to other districts.

Eighth.—All bonds, contracts, and securities to be entered into with or taken from the receivers-general to be appointed, or with or from any other person or persons to be appointed under this act, and their respective sureties, to remit the monies arising by the taxes granted by the said acts, or any of them, or any other duties or sums of money under the management of the commissioners for the affairs of taxes, shall be to H. M., his heirs and successors, and entered into with and taken by the commissioners for the affairs of taxes, and shall be filed and kept in the office of the said commissioners; and no such bond, contract, or security shall be entered or filed at any of the offices in the court of exchequer, unless and until it shall be necessary to be made matter of record for the purpose of suing process at law in the said court of exchequer at *Westminster*, for the recovery of any penalty forfeited thereon, or any debt or duty owing thereon, or against the person and effects of the parties bound thereby, their heirs, executors, or administrators respectively; in which cases the commissioners for the affairs of taxes shall cause the same to be delivered into the office of the King's remembrancer of the said court; and such delivery shall be deemed and be as valid and effectual as if the bonds, contracts, and securities had been taken in one of the said offices, according to the course or practice of the said court heretofore used, to all intents and purposes whatsoever; and shall be applied and made use of in such and the like manner, in any suit, action, or process of law on the said bonds, contracts, or securities, as if the same had been from the caption thereof respectively filed in the said court.

No. II. — RULES and regulations respecting the said office, in relation to assessed taxes.

First.—Every receiver-general to be appointed as aforesaid, and his deputy or deputies, except as after mentioned, authorized under this act, shall and is hereby respectively empowered and authorized, at the respective times appointed by the said acts and this act for the delivery of schedules of defaulters, to administer an oath to every such collector (or being a person called a Quaker, a solemn affirmation,) that he or they hath or have fully paid all the sums by him or them collected or received of or for the assessed taxes, and hath or have fully accounted for all sums not collected or received, in the schedule or schedules then delivered, and shall true answer make to all such questions as shall be demanded of him; and it shall be lawful for every receiver-general, or his deputy or deputies, authorized under this act, at the time of delivering such schedule or schedules, to examine each collector on any matters touching the sums collected, and the sums in arrear, and the substance of the answer or answers which any collector shall give on such examination, shall in his presence be reduced into writing, and read to him, with liberty to alter and amend the same in any particular; and every such collector shall write or sign his assent to the same, in his own hand-writing or sign, and in his usual manner of writing or signing the same.

Second.—Every collector residing within 10 miles of an office for the daily or weekly receipt of the said taxes, to be established pursuant to this act, shall, once in every intervening quarter of a year, when required by the receiver-general of the district where such office shall be, account with the said receiver-general, and on his oath or affirmation, be examined by such receiver-general, in the manner directed by the preceding rule, unless the accounts of the monies of the said taxes respectively received by such collector shall have been previously examined by the commissioners of the district, and the amount to be then paid to the receiver-general shall have been certified under their hands, and the certificate thereof delivered to the said receiver-general, as directed by this act.

Third.—It shall be lawful for every such receiver-general, or his authorized deputy, as aforesaid, whenever he shall see occasion, to report to the commissioners acting in the execution of the said acts and this act, in any matter or thing touching the conduct of any collector or collectors aforesaid; and in every case where there shall be a failure of assessing or charging the duties in any parish, ward, or place, parishes, wards, or places, or of raising or paying the several sums respectively charged on any person or persons chargeable in such parish, ward, or place, parishes, wards, or places, or in the making out or returning any duplicates of assessments by their clerk, or of doing any other act required by the acts relating to the said taxes, or by this act to be done by such clerk, stating therein the particulars of his complaint against such collector or collectors, or other person or persons acting as aforesaid, and what in his opinion ought to be done therein; and whenever any receiver-general, or his authorized deputy, shall have

reported to the commissioners acting for any parish, city, town, or place, or any ward or other division, any matter or thing which in the opinion of such receiver-general, or his authorized deputy aforesaid, shall require the particular consideration of the said commissioners, it shall be lawful for them, and they are hereby required to summon a meeting within a reasonable time after such report; of which meeting the receiver-general, or his authorized deputy aforesaid, shall have notice, and may and shall attend thereat, and assist in the consideration of the measures necessary and expedient to be taken in the execution of the said acts and this act.

No. III. — RULES and regulations respecting the office of collector of assessed taxes.

First.—At each quarterly or half-yearly receipt of any receiver-general as herein mentioned, to be held next after the 10th day of *Oct.* and the 5th day of *April* in each year, pursuant to the directions of this act, all and every the collectors and collector of the assessed taxes, or the monies arising by compositions for assessed taxes, within the jurisdiction of such receiver-general, shall bring with him and produce to the receiver-general, or his deputy, the duplicate or duplicates of assessment, showing the respective sums by them or him collected and received duly written off in the said duplicate or duplicates, or instead thereof, a certificate signed by two or more of the commissioners of the district, stating the several sums collected and received, and the sums to be paid to the receiver-general or his deputy at the ensuing receipt, together with a full and true account, in writing, signed by such collectors or collector, in their or his usual manner of writing or signing their or his christian and surnames or name, of all sums of money by them or him collected for that year of assessment, and on his oath or solemn affirmation aforesaid, true answer make to all such lawful questions as the said receiver-general or his deputy shall there demand of them or him touching the assessed taxes; and if any collector of the assessed taxes shall at any such half-yearly receipt neglect or refuse to bring with him and produce such duplicate or duplicates of assessment, showing the respective sums collected or received in manner aforesaid, or instead thereof a certificate, signed by the commissioners of the district aforesaid, together with an account in writing, signed by such collector in manner before directed, or shall refuse to take the oath or affirmation aforesaid, or to answer any lawful question or questions demanded of him by such receiver-general, or deputy authorized as aforesaid, or shall declare, in any answer by him made, any matter or thing which shall be false, every such collector shall forfeit and pay the sum of 50*l.*, to be sued for and recovered as any penalty may be sued for or recovered under the acts relating to the said taxes or any of them, together with all costs and charges attending the recovery thereof.

Second.—Whenever any sum or sums of the monies collected and received under the authority of the said acts shall be detained in the hands of any collector or collectors, and shall not be duly accounted for to the receiver-general or his deputy at the receipt to be holden next after the same shall have been collected or received by him or them; and whenever any sum or sums of the arrears of taxes and monies so collected or received shall be ordered to be paid by the respective commissioners of the district acting in the execution of this act, and shall not be paid on the day so ordered, every such collector shall forfeit and pay the sum of 50*l.*, and a further penalty at the rate of 5*l.* *per cent. per ann.* for the whole sum by him detained; and the amount of the said penalties shall be used for and recovered in the manner herein-before directed, with all costs and charges.

Third.—If any collector of the said taxes shall from and after the passing of this act, advance or lend to any person or persons any of the monies so by him collected or received, or if any such collector shall pay or apply any monies, or any part of the said monies, to his own use or purpose, or shall deposit or deliver over the same to any other person or persons, so that the full sums or any part thereof to be raised under the said acts, according to the tenor and effect thereof, shall be withheld and not be paid to the receiver-general at the times on which the same ought to be paid according to this act, every such collector shall for every such offence forfeit and pay the sum of 50*l.*, with all costs and charges, to be recovered in manner last aforesaid.

Fourth.—All schedules of defaulters to be delivered after the passing of this act, by any collector or collectors of the said taxes, and composition monies, or any of them, shall be delivered to the several receivers-general, or their authorized deputies, on their receipt, after the 10th *Oct.* and the 5th *April*, yearly; and at the time of such collector or collectors attending the receiver-general with an affidavit subscribed on the oath or affirmation of the collector or collectors in the manner directed by the said acts, and which oath or affirmation the said receivers-general, or their respective authorized deputies are hereby respectively authorized to administer and subscribe; and any collector neglecting to deliver any such schedule, duly verified as aforesaid, to such receiver-general or his deputy at the time, and on his receipt as aforesaid, shall be subject

to the like process as is provided for neglecting to deliver schedules under the said acts relating to the assessed taxes, and all such schedules respectively shall be delivered by such receiver-general or his deputy, to the respective commissioners, to remain in their hands during the same time as is allowed by the said acts relating to assessed taxes.

Fifth.—Every bond or other security to be given after the passing of this act by the collector or collectors of the land-tax, to the respective commissioners acting in the execution of the act relating to the said tax, shall be free of any stamp-duty whatever.

Sixth.—Every collector shall receive from the receiver-general the poundage allowed to him under the said recited acts, unless the said commissioners of H. M.'s treasury shall direct all or any portion of such poundage to be discontinued, and which the said commissioners are hereby authorized to do from time to time, and in such manner as shall appear to them expedient for the better execution of the provisions of this act.

No. IV.—RULES and regulations respecting the offices of other persons acting in the execution of the said acts.

First.—It shall be lawful for the several commissioners acting in the execution of the said recited acts and of this act, in their respective divisions, and they are hereby required, whenever they shall have received notice, as directed by this act, of any receipt to be holden by the receiver-general of the monies collected and received within the limits of the district of the said commissioners respectively, and on or immediately before the day or days of receipt to be so holden, to call before them the respective collectors appointed for each parish or place, and to examine him or them upon solemn oath or affirmation, and assure themselves of all and every of the sum or sums of money, and arrears of the said duties and compositions respectively, that shall have been collected, or remain to be collected, and which shall be payable to the said receiver-general or his deputy, or such other person or persons as shall be authorized to receive the same under this act, at such ensuing receipt, and to make such order therein for the payment of the same to the receiver-general or his deputy, or other person or persons aforesaid, as they shall judge necessary; and the said commissioners shall thereupon cause to be delivered to every such collector a certificate of the sum to be so paid to the said receiver-general or his deputy, or other person or persons aforesaid, together with their order for the payment of such sum or sums as aforesaid, under the hands of the said commissioners, or any two of them, and which certificate shall be delivered by every such collector to the receiver-general or his deputy, or other person or persons aforesaid, at the time of his attending to make such payment of the monies by him collected and received; and the said commissioners shall enter every such certificate and order in a book, to be by them provided for that purpose; and it shall be lawful for the inspector and surveyor acting for the district of the said commissioners, at all convenient times to inspect the said book, and take such extracts therefrom as shall be required by the said commissioners for the affairs of taxes.

Second.—Whenever the respective commissioners shall have signed and allowed any assessment of assessed taxes, and the days to be appointed for hearing appeals therefrom shall have elapsed, the clerk to the said commissioners shall cause to be numbered the pages in each book of assessment, and the sums assessed in each page to be duly cast up; and they shall forthwith, and before the next ensuing receipt for the said taxes, transmit to the receiver-general of the district or his deputy, the total amount of the sum to be paid to such receiver-general by and for each parish, ward, or place in the respective districts, together with the names of the collectors appointed to collect and receive the same.

4. If any collector of the said duties and sums of money aforesaid, or any of them, shall neglect or refuse to pay any sum of money which shall be by him received as aforesaid, as in and by the said several acts or by this act is directed, and shall detain in his hands any money received by him, and not pay or account for the same in manner directed by the said acts or this act, the commissioners acting in the execution of the acts relating to the said duties, or any two or more of them, in their respective districts, are hereby authorized and empowered to imprison the person, and seize and secure the estate, as well freehold as copyhold, and all other estate, both real and personal, of such collector, to him belonging, or which shall have descended or come into the hands or possession of his heirs, executors, administrators or assigns, wheresoever the same can be discovered and found; and the said commissioners who shall so seize and secure the estate of any collector, or any two or more of the commissioners acting as aforesaid in the same district, shall and are hereby empowered to appoint a time for a meeting of the commissioners for such division, city, town or place, and then to cause public notice to be given of the place where such meeting shall be appointed, 10 days at least before such meeting; and the commissioners of such division, city, town, or place, present at such meeting, or the major part of them, in case the accounts of such collector be not duly delivered, or the monies detained by any such collector or collectors be not paid

or satisfied, as ought to be done according to the directions of the said acts or of this act, shall be and are hereby empowered and required to sell and dispose of all such estates which shall be, for the cause aforesaid, seized and secured, or any part of them, to satisfy and pay into the hands of the receiver-general the sum that shall not be so accounted for, or shall be so detained in the hands of such collector, his heirs, executors, or administrators respectively, together with the reasonable costs and charges of recovering, raising, and paying the same, which costs and charges shall be ascertained and settled by the said commissioners, and the overplus (if any) shall be restored to the collector or person entitled thereto, 3 G. 4. c. 88. s. 3.

5. Any two or more of the commissioners acting for the division in which the estate and effects of such collector shall be seized and secured as aforesaid, shall be and are hereby authorized and required to make conveyance of all such freehold and copyhold estates respectively; and in like manner to assign the leasehold and other personal estate of such collector, and all his right, title, and interest therein at the time of such seizure, or at the time of the death of any collector so dying in default as aforesaid, to the respective purchasers thereof respectively, by deed indented between any two or more of the said commissioners; and such sales and purchases respectively shall be as effectual and valid, to all intents and purposes, against such collector, his heirs, executors, and administrators, and all persons claiming under such collector, in like manner as the sale of bankrupts' estates of the like nature, under and by virtue of the statute relating to bankrupts, or any of them, may be made by deed indented or enrolled, or by deed of assignment, according to the several natures of such last-mentioned estates: provided, that such person to whom any such sale of copyhold lands shall be made, shall in like manner as the purchaser of the copyhold estates of bankrupts, before such time as he shall enter or take any profit of the said lands or tenements, agree and compound with the lords of the manors of whom the same shall be holden, for such fines or incomes as heretofore hath been most usual and accustomed to be yielded or paid therefore; and that upon every such agreement or composition, the said lords for the time being, at the next court to be holden at or for the said manors, shall not only grant to the said vendee upon request, the same copyhold or customary lands or tenements by copy of court-roll of the same manors, for such estate or interest as to them shall be so sold, and reserving the ancient rents, customs, and services, but also in the same court admit them tenants of the same copyhold or customary lands, as other copyholders of the same manors have been wont to be admitted, and to receive their fealty, suit, or service, according to the custom of the court of such manor, 3 G. 4. c. 88. s. 4.

6. The several and respective persons who for the time being shall be commissioners for putting in execution the acts relating to assessed taxes and to the land-tax respectively, shall be commissioners for putting in execution this act, and the powers herein referred to or contained, in all and every the respective counties, ridings, divisions, shires, and stewartries, cities, boroughs, cinque ports, towns, and places in G. B.; and the several collectors, surveyors, inspectors, and inspectors-general for the time being, appointed or to be appointed to put into execution the said acts, shall respectively be collectors, surveyors, inspectors, and inspectors-general, to put in execution this act, within the limits of their respective divisions, districts, and places, to which they are or shall be appointed; and the said commissioners and others before-mentioned are hereby empowered and required to do and perform all things necessary for putting this act in execution, in the like and in as full and ample a manner as they or any of them are or is authorized to put in execution the said acts, and all and every the powers and authorities, methods, rules, directions, penalties, forfeitures, clauses, matters and things, contained in any of the said acts (except where such provisions are varied, or other provisions are substituted by this act), shall, in collecting, levying, and accounting for the said duties and monies respectively, be severally and respectively duly observed, practised, and put in execution throughout G. B., in relation to all and every the duties and monies aforesaid, as fully and effectually to all intents and purposes, as if the same powers, authorities, methods, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in the body of this act, and applied to all and every such duties and monies aforesaid, as part of the provisions of this act, 3 G. 4. c. 88. s. 5.

7. From and after the 25th March 1822, every appointment of clerk to the commissioners for executing the acts relating to the land-tax, shall be made for the term and under the rules and regulations for the appointment, continuance, and removal of a clerk to the commissioners for executing the acts relating to the assessed taxes, as is provided by 43 G. 3. c. 99. [Stat. Dig. this tit. pl. 2.], intituled, *An Act for consolidating certain of the provisions contained in any act or acts relating to the duties under the management of the commissioners for the affairs of taxes, and for amending the same*, 3 G. 4. c. 88. s. 6.

8. And whereas the delay of enrolling and passing declared accounts

of receivers-general of the land and assessed taxes through the different offices in the court of exchequer, previous to the issuing the *quietus* thereon, is attended with great inconvenience to such receivers-general, and to their securities, in obtaining the cancellation of their bonds to H. M. from time to time, as they become satisfied, for the year or years on which such declared accounts are balanced in the office of the auditor or auditors of the land revenue, in the usual course of passing such accounts; be it further enacted, That from and after the passing this act [29th July 1822], in every case where any account of a receiver-general of land or assessed taxes, to which any bond now or hereafter to be entered into to H. M., filed of record in the court of exchequer, or to be taken by the commissioners for the affairs of taxes under the provisions of this act, shall relate, has been or shall be stated and passed in the office of the said auditors, or their deputy, and have been or shall be declared before a baron of the court of exchequer, and no balance shall appear to remain due on such account from any such receiver-general, the said auditors or their deputy shall, as soon as conveniently may be after such declaration, cause a certificate thereof to be made out, and signed by them or him, and the total amount of the sums forming the charge and discharge parts of the said account, with the words "even and quit," shall be inserted in such certificate, and delivered to the said receiver-general; and every such certificate so made out and signed as aforesaid, and delivered into or lodged by the said receiver-general in the office of the King's remembrancer in the court of exchequer, or in the office of the said commissioners, shall be a sufficient authority to the officers of the said court and to the said commissioners having the custody of the bond of the said receiver-general for the year to which the said certificate shall relate, to deliver up such bond to the said receiver-general, or to his authorized agent in that behalf, a receipt for such bond being endorsed on such certificate, and signed by the party receiving the same, 3 G. 4. c. 88. s. 7.

9. And whereas it is expedient, in the several counties in *Eng.* and *Wa.*, where two or more persons execute the said office of receiver-general, to abolish one of such offices; be it further enacted, That upon the death, resignation, or removal of any one of the receivers-general whose names are set forth in the schedule to this act annexed, marked with the letter A, the office of such receiver-general shall be discontinued, and it shall be lawful for the said commissioners of the treasury to consolidate the said vacant office with the office of the receiver or receivers of the rest of the county, or to add the same or any part or parts thereof to any adjoining district or districts of receipt, as the said commissioners of the treasury shall think most beneficial to the collection of the said taxes, 3 G. 4. c. 88. s. 8.

SCHEDULE (A) to which 3 G. 4. c. 88. s. 8. pl. 9. refers.

Berks	-	-	-	-	W. B. Simonds. E. Golding.
Bucks	-	-	-	-	G. R. Minshull. W. H. Hammer.
Devon	-	-	-	-	J. J. Fortescue. Sir J. Duntze.
York	-	-	-	-	R. R. Milnes. R. Creyke.
Essex	-	-	-	-	R. Andrews. C. Round.
Kent	-	-	-	-	Sir William Twysden. G. W. H. D'Aeth.
Lancaster	-	-	-	-	G. Case. E. Falkner.
Lincoln	-	-	-	-	Sir R. Fyde.
Norfolk	-	-	-	-	R. Claypon. Sir R. J. Harvey.
Northampton and Rutland	-	-	-	-	W. Fisher. E. Boodle.
Somerset	-	-	-	-	John Beauchamp. J. Allen.
Isle of Wight	-	-	-	-	Hon. G. Poulett. W. Hearn.
Suffolk	-	-	-	-	O. R. Oakes. D. E. Davy.
Surrey	-	-	-	-	R. Smith. T. Page.
Warwick	-	-	-	-	W. Little. C. Fetherston.
Wilts	-	-	-	-	W. Bowles. J. Awdry.
Monmouth	-	-	-	-	R. Lascelles.
Glamorgan	-	-	-	-	H. Hollier.

10. From and after the passing of this act [29th July 1822], one part only of the accounts of every receiver-general to be hereafter passed, shall be made up and transcribed in the offices of the auditors of the said accounts, for the purpose of being presented for declaration before a baron of H. M.'s court of exchequer, and which accounts shall be written on paper in the *English* language in common characters, and the several sums of money expressed therein shall be written and described in common numerals or figures; and every such account, after the same shall have been declared before a baron of the said court according to the usage thereof, shall be transmitted to the office of H. M.'s remembrancer of the said court, and shall there be enrolled, as of record, in like manner in all respects as the part of any account transcribed on parchment hath heretofore been enrolled; and which enrolment herein directed shall be as valid and effectual for enabling the proceedings for the recovery of any balance and interest due or to become due thereon, and for all other purposes whatsoever in anywise concerning or relating to such accounts, as if the same had been also recorded in the offices of the lord treasurer's remembrancer and of the clerk of the pipe, according to the course of the exchequer before the passing of this act: provided nevertheless, and all and every the provisions contained in 1 & 2 G. 4. c. 121. [Stat. Dig. tit. ACCOUNTS PUBLIC, pl. 1.] intituled, *An Act to alter and abolish certain forms of proceedings in the exchequer and audit office, relative to public accounts, and for making further provisions for the purpose of facilitating and expediting the passing of public accounts in G. B., and to render perpetual and amend an act passed in the 54th year of His late Majesty for the effectual examination of the accounts of certain colonial revenues*, so far as the same relate to the record and enrolment of any of the said accounts in the offices of the lord treasurer's remembrancer and of the clerk of the pipe respectively, in cases where such enrolments or records may be found necessary for the purposes in the said acts mentioned; and also so far as the provisions of the said acts relate to allowing compensation to the persons now holding the said offices of the lord treasurer's remembrancer and clerk of the pipe, for loss of fees or proportions of fees, in respect of enrolments of the receivers' accounts in the said last-mentioned offices, and of the effect of such enrolments; and also in respect of compensation to the said officers, and to the King's remembrancer and other officers of the court of exchequer, for loss of fees or proportions of fees which they shall respectively sustain under the provisions of this act, shall and may be severally observed, practised, and followed, and applied to the provisions of this act and in the execution thereof, to all intents as if the said several provisions of the said last mentioned act had been re-enacted and incorporated in the body of this act, and particularly applied to the provisions of this act, 3 G. 4. c. 88. s. 9.

11. And whereas by the said acts relating to the land and assessed taxes respectively, the receivers-general of the said duties and their agents or servants are required to travel together, three in company at the least, on their respective receipts, and for the purposes in the said acts mentioned; be it further enacted, That no receiver-general, or his authorized deputy, to be appointed under the provisions of this act, shall be required to travel in company with more than one person on each receipt respectively; and such receiver-general or his authorized deputy so travelling as last aforesaid, shall have the same remedies and advantages in his protection on his said receipt, to all intents, as if he had travelled in company with two or more persons, in the manner directed by the said acts; any thing in the said recited acts contained to the contrary notwithstanding, 3 G. 4. c. 88. s. 10.

12. And whereas, by reason of the repeal and reduction of the said duties of assessed taxes respectively, the compensation by poundage directed by the said acts on the amount of the assessments of the remaining duties to persons acting as clerks to the said commissioners of certain districts, may in particular cases be inadequate to enable such clerks to defray the expences incurred by them in the execution of their duty under the said acts: be it further enacted, That it shall and may be lawful for the treasury to order and direct the allowance and discharge of such actual expences or any part thereof as shall be necessarily incurred by any such clerk in the due execution of the said acts, where such allowances shall appear to the treasury reasonable and proper to be made over and above the allowance by poundage made to any such clerk for the particular year of assessment to which such expences shall under the authority of the said acts, and the certificate of the commissioners for the affairs of taxes, or any three or more of them, shall be an authority to the receivers-general respectively to pay such further allowance, 6 G. 4. c. 7. s. 11.

13. Allowances to receivers-general repealed, and new ones given, 3 G. 4. c. 88. [See RECEIVERS.]

II. Duties.

14. For exempting farmers occasionally riding a horse used

commonly for husbandry purposes from the duties on riding horses, 3 G. 4. c. 50. s. 4 and 5. [This title is framed from the preamble to s. 4. See further, 6 G. 4. c. 7. s. 8. *post*, pl. 41.]

15. And whereas by 56 G. 3. c. 66. [Stat. Dig. tit. TAXES (*Assessed*), pl. 200.] intituled, *An Act for reducing the duties payable on horses used for the purposes therein mentioned, for two years, and for repealing the acts granting allowances in respect of children*, relief was granted to the occupiers of farms at less than 200*l. per ann.*, from the former duties on horses used for the purpose of husbandry, and in lieu of which duties certain reduced duties were substituted for the period therein limited; and it was therein provided, that any person chargeable to the said reduced duties, should, during the continuance of the said act, be exempted from the duties payable under the said several acts in respect of one such horse, mare, or gelding, used occasionally for the purposes of riding thereon; and whereas the provisions of the said act were extended by subsequent acts, and by 1 & 2 G. 4. c. 110. [Stat. Dig. this tit. pl. 209.] intituled, *An Act for repealing the duties imposed on husbandry horses, and to make perpetual several acts for reducing the duties on certain horses and mules*, the duties on husbandry horses granted by the said former acts were wholly repealed, but the said exemption was not extended beyond the period of continuance of the said reduced duties: And whereas it is expedient to continue the said exemption for the same term mentioned in the said act for the continuance of the said reduced duties; be it further enacted, That from and after the 5th April 1822, for the term of five years then next following, any person occupying a farm as tenant at rack-rent, the rent of which shall be less than 200*l. a year*, and making a livelihood solely thereby, or any person occupying any estate on any other tenure than as tenant at rack-rent solely on such estate, together with a farm at rack-rent, the value of which in the whole shall be less than equivalent to a farm at the rack-rent of 200*l. a year*, (reckoning the value of every estate occupied by the owner thereof, or on any tenure other than as tenant at rack-rent, as equivalent to double the amount of the like farm at rack-rent), and making a livelihood solely by such his own estate, or by such estate and farm jointly, shall be exempt from the duty payable under the said acts, for one horse, mare, or gelding *bonâ fide* kept and usually employed for the purpose of husbandry on his said estate or farm, although used occasionally for the purpose of riding, such being claimed and allowed in like manner as is directed by the acts relating to assessed taxes in other cases of exemption from the said duty, 3 G. 4. c. 50. s. 4. [See 6 G. 4. c. 7. s. 8. *post*, pl. 41.]

16. From and after the said 5th of April 1822, any persons occupying a farm of less value than 200*l. per ann.*, in the cases of exemptions last herein-before described, and making a livelihood solely thereby, and from the profits of letting and use herein-after mentioned, shall be exempt from the duty chargeable by the said recited acts in respect of any horses, mares, or geldings *bonâ fide* kept for the occupation of his, her, or their farm, although any such horses, mares, or geldings shall be occasionally let to hire, or used in drawing for hire or profit by such person or persons for any other purpose than of drawing any carriage chargeable with duty in respect of such horses or carriages, or of letting the same to hire, 3 G. 4. c. 50. s. 5.

17. For repealing certain of the duties of assessed taxes; for reducing certain other of the said duties; and for relieving persons who have compounded for the same, 4 G. 4. c. 11. [AMD. 4 G. 4. c. 45. s. 10. 5 G. 4. c. 44. s. 4—8.]

18. Whereas by 48 G. 3. c. 55., intituled, *An Act for repealing the duties of assessed taxes, and granting new duties in lieu thereof, and certain additional duties to be consolidated therewith; and also for repealing the stamp-duties on game certificates, and granting new duties in lieu thereof, to be placed under the management of the commissioners for the affairs of taxes*, certain duties were granted to H. M. upon houses, windows, and lights, as set forth in the schedule to the said act annexed, marked (A.) [Stat. Dig. this tit. pp. 1498, 1499]: and whereas a duty of 6*s.* was also granted to H. M. by the said act, as set forth in the schedule thereto annexed, marked (C.) No. 2, in respect of gardeners, or persons employed to work in any garden under any person chargeable to the duties, mentioned in the schedule to the said act marked (C.) No. 1, and for every gardener employed in any garden where the constant labour of one person should not be necessary [Stat. Dig. this tit. p. 1503]: and whereas by 50 G. 3. c. 104., intituled, *An Act for altering the amount of certain duties of assessed taxes, granted by an act passed in the 48th year of His present Majesty's reign; and for granting to H. M. certain other duties of assessed taxes on the articles therein mentioned*, a duty of 6*s.* was also granted to H. M. for every gardener who should have contracted for the keeping of any garden, where the constant labour of one person should not be necessary, [Stat. Dig. this tit. p. 1503]: and

whereas by 52 G. 3. c. 93., intituled, *An Act for granting to H. M. certain new and additional duties of assessed taxes, and for consolidating the same with the former duties of assessed taxes*, a new and additional duty of 4*s.* was granted to H. M. upon each and every of the said persons so employed as gardeners, and as also described and set forth in the schedule to the said last-mentioned act annexed, marked (C.) No. 2, [Stat. Dig. this tit. p. 1503]: and whereas certain other duties of 6*s.* and 4*s.* respectively were also granted to H. M. by the 48 G. 3. c. 55. and 52 G. 3. c. 93. [Stat. Dig. this tit. pp. 1502, 1503] as set forth in the said respective schedules thereof, marked (C.) No. 3, in respect of male servants and male persons *bonâ fide* retained for the purposes of husbandry, manufacture, or trade, by which the master or mistress described and chargeable with the duties as therein mentioned should gain a livelihood, at any time employed in any domestic capacity, or in any of the capacities in schedule (C.) No. 1. of the said acts last mentioned, or as a groom, stable boy, or helper in the stables, in manner in the said schedule (C.) No. 3. also described: and whereas by the 48 G. 3. c. 55., and 50 G. 3. c. 104. aforesaid, certain duties of 1*l. 6s. 6d.* were granted to H. M. for every carriage called a taxed cart, constructed, built, and used in the manner in the said acts particularly described, and certain additional duties of 2*s. 6d.* in respect of such taxed carts were also granted to H. M. by the 52 G. 3. c. 93. [Stat. Dig. this tit. p. 1506]: and whereas by the said acts passed in the 48 G. 3. c. 55. and 52 G. 3. c. 93. [Stat. Dig. this tit. p. 1508] aforesaid, certain duties of 2*s. 10d.* and of 2*d.* respectively, set forth in the schedules to the said acts annexed, marked (F.) No. 2, were granted to H. M. in respect of husbandry horses, mares, geldings, or mules, kept by the occupiers of small farms or estates in the said schedule described, such occupiers making also a livelihood therefrom, and a profit by any trade or employment as therein also described: and whereas by 56 G. 3. c. 66. [Stat. Dig. this tit. pl. 200], intituled, *An Act for reducing the duties payable on horses used for the purposes therein mentioned, for two years, and for repealing the acts granting allowances in respect of children*, a duty of 3*s.* was granted to H. M. for a period therein limited, in respect of any horse, mare, or gelding kept by any occupier of a farm under 50*l. per ann.*, and making a livelihood principally thereby, and a profit by any trade or employment in the manner in the said act described; and such last-mentioned duty was made perpetual by 1 & 2 G. 4. c. 110. s. 5. [Stat. Dig. this tit. pl. 200], intituled, *An Act for repealing the duties on husbandry horses, and to make perpetual several acts for reducing the duties on certain horses and mules*: and whereas it is expedient finally to determine certain of the said duties on windows or lights, now payable in respect of shops or warehouses being part of dwelling-houses occupied by persons in trade, and the whole of the said other duties herein-before described: be it therefore enacted, That from and after the 5th April 1823, in that part of G. B. called *Eng., Wa.*, and the town of *Berwick-upon-Tweed*; and from and after the 24th May 1823, in that part of G. B. called *Scot.*, for and in respect of and upon all assessments to be made for any year commencing from the respective days and year last aforesaid, so much of the said duties on windows or lights in shops or warehouses being parts of dwelling-houses chargeable by the said first-mentioned act, in respect of any number not exceeding three such windows or lights in any shop or warehouse in the front or fronts, and on the ground or basement story of every dwelling-house occupied by any person in trade, who shall expose to sale or sell any goods, wares, or merchandizes in any such shop or warehouse; and also the whole of the said duties on gardeners, and on servants in husbandry or trade, and on taxed carts, and on horses, mares, geldings, or mules, herein-before respectively and particularly enumerated and described, and all assessments thereon for and in respect of any year commencing from and after the respective days aforesaid, shall severally cease and determine, 4 G. 4. c. 11. s. 1.

19. And whereas doubts have arisen whether under the provisions of 4 G. 4. c. 11. s. 1. [ante, pl. 18.] intituled, *An act for repealing certain of the duties of assessed taxes, for reducing other of the said duties, and for relieving persons who have compounded for the same*, the duty of 3*s.* theretofore chargeable under the schedule marked (F.) of 52 G. 3. c. 93. [Stat. Dig. this tit. p. 1508.] therein described for horses, mares, or geldings, being under the height of 13 hands, are wholly repealed, or reduced only; and it is reasonable and proper to remove such doubts, be it further enacted, That all and every the provisions in the said act contained for repealing the several duties of 3*s.* and of 2*s. 10d.*, and of 2*d.* respectively chargeable by the several acts therein recited for and in respect of horses, mares, and geldings, or mules, shall be deemed and taken to extend to the repeal of the said duties of 3*s.* on all horses, mares, or geldings under the height of 13 hands in the said schedule (F.) described, 4 G. 4. c. 45. s. 10.

20. And whereas it is also expedient to reduce such of the several duties of assessed taxes granted to H. M. on windows or lights, and on male servants, male persons, carriages, and horses respectively herein-after described, as are not wholly repealed by this act; be it further enacted, That from and after the said 5th April 1823, in that part of

G. B. called *Eng., Wa.*, and the town of *Berwick-upon-Tweed*; and from and after the 24th *May* 1823, in that part of *G. B.* called *Scot.*, on all assessments to be made for any year commencing from the respective days last aforesaid, one moiety and equal half part of each and every of the duties on windows or lights set forth in the said schedule marked (A.) of the 48 *G. 3. c. 55.*; and also one moiety and equal half part of each and every of the several duties on male servants and male persons respectively set forth in the respective schedules marked (C.) No. 1, No. 3, and No. 4, of the 48 *G. 3. c. 55.*, and 52 *G. 3. c. 95.*; and also one moiety and equal half part of each and every of the duties on carriages with four wheels, and of each and every of the duties on carriages with two wheels, respectively set forth in the respective schedules marked (D.) No. 1, No. 2, No. 3, and No. 4, of the 48 *G. 3. c. 55.*, and 52 *G. 3. c. 95.*; and also of the duties on carriages granted by schedule (D.) No. 2, of the 50 *G. 3. c. 104.*; and also by 58 *G. 3. c. 17.*, intituled, *An Act for charging certain duties on four-wheel carriages, constructed and drawn in the manner therein stated*; and also one moiety and equal half part of the duties made payable on all horses, mares, geldings, or mules respectively set forth in the respective schedules of the said acts, passed in the 48 *G. 3. c. 55.*, and 52 *G. 3. c. 95.* aforesaid, marked schedule (E.) No. 1, schedule (E.) No. 2, schedule (E.) No. 3, and schedule (F.) No. 1.; also one moiety and equal half part of the duties on horses, mares, or geldings, or mules, described in and granted by 59 *G. 3. c. 15.* [*Stat. Dig.* this tit. *pl.* 194—197.] intituled, *An Act to continue two acts of the 56th and 58th years of His present Majesty, for reducing the duties payable on horses used for the purposes therein mentioned, to the 5th April 1821; and to reduce the duties chargeable under certain acts of the 48th and 52d years of His present Majesty, in respect of certain horses, mares, geldings, and mules*; and which duties so reduced were made perpetual by 1 & 2 *G. 4. c. 110.* [*Stat. Dig.* this tit. *pl.* 200.] shall respectively cease and determine, and be no longer paid or payable: provided nevertheless, That the duties hereby reduced, and to be hereafter assessed and payable, shall not include any fraction of 1d., 4 *G. 4. c. 11. s. 2.*

21. And whereas under and by virtue of 1 & 2 *G. 4. c. 113.* [*Stat. Dig.* this tit. *pl.* 259.] and 3 *G. 4. c. 50.*, divers persons have compounded for their assessed taxes in *G. B.*, under contracts of composition, which were made to continue in force on the said duties of windows or lights and on inhabited houses for the term of six years, and on the other duties of assessed taxes allowed to be compounded for under the said acts for the term of five years respectively, from the 5th *April* 1822; and it is expedient to relieve the persons who have so compounded in respect of the said duties, as well those wholly as those in part repealed, as of the additional duties payable under the said acts on the amount of the duties compounded for, which are so wholly or in part repealed, upon all instalments payable on contracts after the period herein mentioned; be it further enacted, That it shall and may be lawful for the respective commissioners acting in the execution of the said acts and of this act, in their respective districts, and they are hereby authorized and required, to remit and deduct so much and such parts of the duties compounded for and included in any such contract as are repealed by this act, and also so much of the additional duty granted by the said acts, and payable by any such contract on the amount of any duty, or any portion of the duties so repealed, and to cause such reduced amounts to be inserted in the assessments of composition, and in the several duplicates thereof, to be delivered and returned by the said commissioners under the said acts in their respective districts, after the said 5th *April* 1823, and during the periods of such respective compositions; and every such contract shall be of the same force and effect for the recovery and enforcing payment of the reduced instalments under the provisions of the said acts, and of this act, to commence from the 5th *April* 1823, to all intents as if the full amount of the instalments compounded for continued payable on such contracts, 4 *G. 4. c. 11. s. 3.*

22. Nothing herein contained shall be construed to revive, set up, or substitute any higher or other duty of assessed taxes granted by any of the said acts in lieu of the duties hereby repealed, on all and every the person and persons respectively in the said acts described, who before the passing of this act were by the said recited acts authorized and empowered, on payment of the duties hereby repealed, to employ any male servant or person in the capacities first herein-before enumerated, or to keep or use any carriage herein-before described as a taxed cart, or any horse, mare, gelding, or mule herein-before also described, on payment of the duties hereby respectively repealed; but that all and every such person or persons who at any time within the year ending the 5th *April* 1823, in *Eng. and Wa.*, or the 24th *May* 1823, in *Scot.*, have kept, retained, or employed, or who shall or may from and after the passing of this act [19th *March* 1823], retain or employ any such male servants and persons respectively, and keep and use any such carriage of the description of a taxed cart, and any horse, mare, gelding, or mule respectively, in the manner and according to the schedules, rules, and provisions prescribed by the said acts granting the said duties hereby repealed, shall and is hereby declared to be free of any other or

higher duty or assessment chargeable under the said acts relating to the assessed taxes, for and in respect of the said male servants, persons, carriages, and horses respectively, for any year or years commencing from and after the respective days last aforesaid; and all and every the schedules, rules, and provisions of the said acts for regulating and charging the said duties hereby repealed, shall remain and continue in full force and effect for protecting all and every such persons heretofore chargeable with such duties so repealed by this act, from any other or higher duty in lieu of the duties so repealed, so far as such servants, carriages, and horses respectively shall have been or shall be kept, employed, and used in the manner and for the purposes in and by the said schedules, rules, and provisions last aforesaid respectively prescribed and allowed: provided, that so much of the provisions contained in any of the said acts, which require the words, "A Taxed Cart," and the owner's christian and surname and place of abode, and also the name and place of abode of the maker thereof, and the full value thereof, or the actual price or consideration paid or given for the same, to be marked or painted on a black ground in white letters, on the outside of the back pannel, or back part of any carriage, shall, from and after the passing of this act [19th *March* 1823], be and are hereby declared to be discontinued and repealed; but every such carriage last aforesaid shall in every other respect (except as herein varied) be built and constructed according to the regulations of the said acts, and the rules therein contained; and it shall be lawful for any person or persons keeping and using any horse, mare, gelding, or mule *bonâ fide* for the purposes of husbandry, to use any such horse, mare, gelding, or mule in drawing any carriage of the description of a taxed cart, the duty whereon is repealed by this act, and kept by any such person respectively for his, her, or their own use, free of any duty chargeable under the said acts in respect of any such horse, mare, gelding, or mule, in and by any assessment to be made for any year commencing from and after the said 5th *April* 1823, 4 *G. 4. c. 11. s. 4.*

23. The powers and provisions contained in 59 *G. 3. c. 118. s. 2.* [*Stat. Dig.* this title, *pl.* 177.], for giving relief from the duties charged on shopmen by the said acts to every male person wholly maintained and lodged in the house of his employer or employers, such persons respectively being under the age of 15 years, shall, upon every assessment made or to be made after the 5th *April* 1823, be extended to all and every such male person described in the said act, being respectively under the age of 18 years: provided, that the clauses of every exemption in respect of any such male person shall be truly returned and stated in the manner directed by the said act, and the several other acts in force before the passing of this act, 4 *G. 4. c. 11. s. 5.*

24. Persons having compounded for a two-wheel carriage may substitute a four-wheel carriage in the composition, paying only the difference of duty, 4 *G. 4. c. 11. s. 6.* [See at length, *post*, *pl.* 65.]

25. Provided, that copies of all cases which shall after the passing of this act [19th *March* 1823] be stated and signed by any commissioners acting in the execution of the said acts and of this act, at the instance and request of any assessor, inspector, surveyor, or person appealing under the powers in the said acts contained, and which shall be determined by any one or more of the justices of the courts of *K. B.* or *C. P.*, or of the barons of the court of exchequer for the time being at *Westminster*, in *Eng., Wa.*, or *Berwick-upon-Tweed*, or by any one or more of the lords of the court of sessions or barons of the court of exchequer in *Scot.*, shall, together with a copy or copies of the said judge or judges opinion and determination thereto subscribed, duly certified by the solicitors for the affairs of taxes for *Eng.* and *Scot.* respectively, be annually laid before parliament within 21 days after the meeting thereof, 4 *G. 4. c. 11. s. 7.*

26. And whereas by the 48 *G. 3. c. 55.*, under the said schedule thereto marked A., there is charged for the windows in every dwelling-house in *Eng. and Wa.*, and *Berwick-upon-Tweed*, having not more than six windows or lights therein, a duty of 6s. 6d., and for every such dwelling-house in *Scot.* a like duty of 4s. 6d. (such houses respectively not being worth the rent of 5l. by the year), and which duties are reduced by the provisions of this act; and it is expedient to exempt the occupiers of such houses in certain cases from the said reduced duties; be it further enacted, That upon any assessment of the said duties to be made upon the occupier of any such dwelling-house, for any year commencing from or after the 5th *April* 1823, it shall be lawful for the respective commissioners acting in the execution of the said acts and of this act, in their respective districts, to grant relief to any such occupier having three children born in lawful wedlock, and wholly maintained by him or her, and at his or her expence, and to strike out the charge on any such occupier on the proof by the rules and in the manner authorized and required by the said recited acts in cases of exemption from the said duties by reason of poverty, 4 *G. 4. c. 11. s. 8.*

27. The several and respective persons who for the time being shall be commissioners for putting in execution the acts relating to the assessed taxes, shall be commissioners for putting in execution this act,

and the powers herein referred to or contained, in all and every the respective counties, ridings, divisions, shires, and stewartries, cities, boroughs, cinque-ports, towns, and places in *G. B.*; and the several assessors, collectors, inspectors-general, inspectors, and surveyors, for the time being, appointed or to be appointed to put into execution the said acts, shall respectively be assessors, collectors, inspectors-general, inspectors, and surveyors, to put into execution this act, within the limits of their respective divisions, districts, and places to which they are or shall be appointed; and the said commissioners and others before mentioned are hereby empowered and required to do and perform all things necessary for putting this act in execution, in the like and in as full and ample a manner as they or any of them are or is authorized to put in execution the said acts; and all and every the powers and authorities, methods, rules, directions, penalties, forfeitures, clauses, matters, and things contained in any of the said acts, and applying to the said several duties by the said acts granted (except where such provisions are varied or other provisions are substituted by this act), shall, in assessing, charging, collecting, levying, and accounting for the said duties and monies respectively, be severally and respectively duly observed, practised, and put in execution throughout *G. B.* in relation to all and every of the duties reduced and in part repealed under the provisions of this act, as fully and effectually, to all intents and purposes, as if the said reduced duties remaining unrepealed and in force were specially granted and particularized in and by this act, and as if the same powers, authorities, methods, rules, directions, penalties, forfeitures, clauses, matters, and things, were particularly repeated and re-enacted in the body of this act, and applied to all and every such reduced duties and monies aforesaid, as part of the provisions of this act: provided, and nothing herein contained shall alter or affect any of the provisions of the said recited acts for assessing, charging, raising, levying, and collecting any assessment of the said duties made or to be made for any year or years commencing previous to the 5th April 1823, any thing in this act contained to the contrary notwithstanding, 4 *G. 4. c. 11. s. 9.*

28. And whereas by 57 *G. 3. c. 25. [Stat. Dig. this tit. pl. 160. 167—170.]* provision is made for granting exemptions to persons in trade from the duties on houses, windows, and lights, and on inhabited houses, in respect of houses, tenements or buildings, or parts of tenements or buildings, used solely by such persons for the purposes of trade, such persons respectively residing in a separate and distinct dwelling-house, or part of a dwelling-house, charged to the said duties, as in the said act described: and whereas it is expedient to extend the said exemptions to the cases herein mentioned; be it further enacted, That upon all assessments to be made for any year commencing from and after the 5th April 1824, the provisions in the said act contained, for granting exemptions from the said duties to persons in trade, in respect of houses, tenements or buildings in the said act described, shall and may be extended and applied by the respective commissioners and officers acting in the execution of the said act and of this act, on due proof, to all and every person, or any number of persons in partnership together, for and in respect of any house, tenement or building, or part of a tenement or building, in the said act described, which shall be used by such person or persons as offices or counting-houses for the purposes of exercising or carrying on any profession, vocation, business or calling, by which such person or persons shall seek a livelihood or profit, no person inhabiting, dwelling, or abiding therein, except in the day-time only, for the purpose of such profession, vocation, business or calling, such person or each such persons in partnership respectively residing in a distinct and separate dwelling-house, or part of the dwelling-house charged to the said duties; provided nevertheless, that the exemption herein authorized shall not extend to any chamber or apartment in any of the inns of court or of chancery, or to any college or hall in either of the universities of *Oxford* or *Cambridge*, now chargeable with any of the said duties; and the said exemptions hereby authorized shall be claimed and allowed on due proof, and the assessments thereupon discharged by the same rules, and in like manner and form, as are allowed by the said act to persons in trade; and all and every the provisions in the said act contained shall be observed, followed, and practised by the respective commissioners, inspectors, surveyors, assessors, and other persons in the said act described, in granting exemptions and discharging assessments under the provisions of this act, to all intents as if such provisions formed part of the 57 *G. 3. c. 25.*, any thing herein contained to the contrary notwithstanding, 5 *G. 4. c. 44. s. 4.*

29. Upon all assessments to be made for any year or years commencing from and after the 5th April 1824, any person occupying a farm of less value than 100*l. per ann.*, and making a livelihood solely thereby, as owner or tenant, in the manner described in the said acts, and as applied to exemptions from the duties on horses, mares, or geldings kept by such occupiers and rode on the occasions therein mentioned, shall be exempt from the duty by the said acts granted in respect of any dog, not being a greyhound, hound, pointer, setting-dog, spaniel, lurcher or terrier, which shall have been or shall be *bonâ fide* and wholly kept

and used by such occupier, or by any person employed by him as a shepherd on his said farm in the care of sheep; provided, that every such exemption shall be claimed and allowed in like manner as is directed by the acts relating to the assessed taxes in other cases of exemption therein mentioned, 5 *G. 4. c. 44. s. 5.*

30. And whereas doubts have arisen, whether the respective duties chargeable by the said acts on porters, and on overseers or managers, extend to the employment of male persons on certain occasions; and it is expedient to remove such doubts; be it further enacted, That for and in respect of any assessment to be made for any year commencing from and after the 5th April 1824, any male person hired by the employer or employers in the said acts described, by the year, or by the week, or otherwise, shall not be deemed and taken to be a porter chargeable with the said duties, for or by reason of his employment in the loading, unloading, stowage, or removal of goods, wares, or merchandize, from, to, or upon any horse, cart, waggon, or other carriage, in the receipt or delivery of such goods, wares, or merchandize at the shop, warehouse, or place of deposit, unless such person shall also be employed in the drawing or taking of samples of goods, wares, or merchandize exhibited for the purposes of sale at such shop or warehouse, or elsewhere; nor shall any person wholly employed in any mine, adventure, or concern, under the superintendence and authority of one or more manager or managers, or one or more clerk or clerks, in such mine, adventure, or concern, (where the person or persons liable to the said duties by the said acts shall be assessed for the duty for one overseer or manager at the least, and also for one clerk at the least), be deemed and taken to be an overseer or manager, or a clerk under an overseer or manager chargeable with duty, by reason of the employment of any such person under such manager or clerk in the overlooking and checking of labourers in the performance of the work and labour allotted to them in any such mine, adventure, or concern, and in accounting for the same to any such manager or clerk; any thing in the said acts to the contrary notwithstanding, 5 *G. 4. c. 44. s. 6.*

31. And whereas by the said acts, and the rules therein contained, it is provided, that if any person shall do any act for any of the purposes therein mentioned, without having obtained a certificate in order to an assessment for the duty thereby granted and payable, in respect of taking or killing game, or doing other acts therein mentioned, every such person shall forfeit and pay the penalty of 20*l.*; and every such offender shall also be liable to the payment of the full duty to *H. M.*, to be charged by way of increased charge by the inspector or surveyor in manner therein directed: and whereas doubts have arisen whether the inspector or surveyor in the said cases is authorized to charge for the game-duty persons liable who have omitted to pay the said duty and obtain certificates thereof, without a previous proceeding against such offender, and a previous conviction thereon in the said penalty, or for some part thereof; and it is expedient to remove such doubts; be it therefore enacted, That from and after the passing of this act [3d June 1824], it shall and may be lawful for any inspector or surveyor acting in the execution of the said acts and of this act, without any previous information and conviction of the offender in the said penalty, or any part thereof, to charge, according to the provisions of the said acts, any person so chargeable with the said duty payable by persons in respect of their taking or killing game, or doing acts in the said acts mentioned, and who shall have omitted to pay the said duty, and obtain the certificate as by the said acts directed; provided every such charge be made within the period limited by the said acts, and in the single duty only; and which charges shall be allowed by the respective commissioners in the execution of the said acts, and shall be subject to appeal according to the provisions and directions thereof, in like manner as any charges are authorized to be made by any inspector or surveyor, and appeals therefrom heard and determined under the said acts, 5 *G. 4. c. 44. s. 7.*

32. All and every the provisions, directions, rules, regulations, methods, clauses, matters, and things contained in the said recited acts, although expressly applied to the compositions made under the said acts or either of them, and to relief from duties compounded for, and for which exemptions are subsequently provided, shall severally and respectively be construed and deemed to apply to the compositions to be entered into under this act, and to the duties for which exemptions are provided by this act, and (except where other provisions are substituted in and by this act) shall severally and respectively be used and practised in ascertaining the amount on which any composition is to be made, and the additional rate to be imposed thereon, and also in reducing any assessment of composition entered into before the passing of this act, in respect of duties for which exemption is herein provided, with the additional duty payable on the amount of such last mentioned duties, and also in doing and performing all other matters and things necessary for carrying this act into execution, and shall be construed, deemed, and taken to belong to this act as part thereof, in like manner as if the same were severally repeated in and expressly applied to the provisions of this act; and where other provisions, directions, rules, regulations,

methods, clauses, matters, or things are substituted by this act, in lieu of any provisions, directions, rules, regulations, methods, clauses, matters, or things contained in the said acts, the same respectively shall be construed, used, and practised in such manner and to the like effect in all respects as if the said recited acts and this act had been incorporated, and as if this act had expressly abrogated and made void the several parts of the said recited acts in lieu whereof any part of this act is substituted, 5 G. 4. c. 44. s. 8.

33. For the further repeal of certain duties of assessed taxes, and for granting relief in the cases therein mentioned, 6 G. 4. c. 7.

34. Whereas by 4 G. 4. c. 11., intituled, *An Act for repealing certain of the duties of assessed taxes, for reducing certain other of the said duties, and for relieving persons who have compounded for the same*, several of the duties of assessed taxes were wholly repealed, and others thereof were reduced to one moiety: and whereas it is expedient to repeal certain of the remaining duties of assessed taxes now payable to H. M., and to grant relief in the cases herein-after mentioned; be it therefore enacted, That from and after the 5th April 1825, in that part of G. B. called *Eng., Wa.*, and the town of *Berwick-on-Tweed*, and from and after the 24th May 1825, in that part of G. B. called *Scot.*, for and in respect of and upon all assessments for any year commencing from the respective days and year last aforesaid, the several and respective duties granted and now payable to H. M. by 48 G. 3. c. 55. [*Stat. Dig.* this tit. pp. 1498, 1499], and as set forth in the schedule thereto annexed, marked (A.) (in the said first-mentioned act recited), for every dwelling-house, with the offices therein described, containing not more than six windows or lights, and not worth the rent of 5*l.* by the year; and for every dwelling-house, with the offices aforesaid, containing not more than six windows or lights, and of the said value of 5*l.* by the year; and for every such dwelling-house, with the offices aforesaid, containing not more than seven windows or lights; and also such of the duties of 1*s.* 6*d.* in the pound, granted on inhabited dwelling-houses by 48 G. 3. c. 55. [*Stat. Dig.* this tit. p. 1500], and the schedule thereto annexed, marked (B.), as are now charged and chargeable, by the rules and directions therein contained, for every inhabited dwelling-house, with the offices and lands therein described, being under the rent or value of 10*l.* by the year; and also the several and respective duties granted and payable to H. M. by the 48 G. 3. c. 55. and 52 G. 3. c. 93. [*Stat. Dig.* this tit. p. 1503], and described in the schedules to the said acts respectively annexed, marked (C.) No. 3; and (in the said first-mentioned act also described), so far as such last-mentioned duties are severally charged or chargeable in respect of every male person employed as an occasional waiter in any tavern, coffee-house, inn, or other house in the said schedule mentioned, for a period of six calendar months, and also for a lesser period than six calendar months in any year respectively; and for every such person, not being a servant, who has been or shall be employed as an occasional waiter in any private house, not less than six times within the year; and for every male person employed by any stable-keeper for or in expectation of profit, to take care of any horse, mare, or gelding kept for the purposes of racing, running, or training, as therein described; and also all and every the duties on taxed carts granted to H. M. by 50 G. 3. c. 104. [*Stat. Dig.* this tit. p. 1506], and the schedule thereto, marked No. 2; and also by the 52 G. 3. c. 93. [*Stat. Dig.* this tit. p. 1506], and described and set forth in the schedule thereto annexed, marked (D.) No. 4; and also all and every the duties granted to H. M. by the 48 G. 3. c. 55. and 52 G. 3. c. 93. [*Stat. Dig.* this tit. p. 1507], and by the same schedule marked (D.) No. 5, and payable by coachmakers and makers of other carriages chargeable with duty by the said act, and on carriages made, sold, or repaired, as therein mentioned; and also the several duties granted to H. M. under the provisions of the said last-mentioned acts, and made payable by the said schedule marked (D.) No. 6. [*Stat. Dig.* this tit. p. 1507], by persons selling carriages by auction or on commission; and also the duty granted to H. M. on carriages with four wheels, drawn by ponies, mules, oxen, or asses, and made payable by 58 G. 3. c. 17., intituled, *An Act for charging certain duties on four-wheeled carriages constructed and drawn in the manner therein described*; and also the duty granted to H. M. by 59 G. 3. c. 13. [*Stat. Dig.* this tit. pl. 192—197], upon every person keeping any mule or mules for the purpose of carrying ore, slate, or stone, coal or culm, to or from the mine or pit, or for the purposes of carrying lime, sea-sand, sea-weed, or other manure, on the backs of such mules, as therein mentioned, shall severally and respectively cease and determine; and all assessments for any year commencing as aforesaid, so far as the same shall apply to or contain all or any of the duties hereby repealed, shall be null and void, 6 G. 4. c. 7. s. 1.

35. And whereas it is expedient to grant further relief to occupiers of dwelling-houses, and to make provision in the cases herein mentioned; be it further enacted, That where the occupier or tenant of any dwell-

ing-house, cottage, or tenement chargeable with duty shall quit the same after an assessment shall be made, and such occupier shall give notice thereof, on so quitting, to the assessor, in the manner directed by the said acts, the duty thereon shall be discharged by the commissioners for executing the said acts and this act, for the particular quarter or quarters of the year of such assessment during which it shall appear to the said commissioners such house, cottage, or tenement shall have continued for each entire quarter wholly empty and unoccupied, and although any such quitting shall not have taken place on the actual determination of the lease or demise by which such occupier or tenant held the premises, in the manner described by the 48 G. 3. c. 55.: provided, that where any house, cottage, or tenement shall not have been built or otherwise completed for occupation at the time of making the assessments yearly, as directed by the said acts, and the same shall, after the expiration of the first or of any succeeding quarter of the year, become occupied during a portion only of the year of assessment, such house, cottage, or tenement shall, on notice of the commencement of occupation, to be given by the occupier in the manner directed by the said act, be assessed and charged with the said duties for that part only of the year of assessment during which such house, cottage, or tenement shall be actually occupied, to wit, from the end of the quarter of the year preceding such occupation; and when any window or windows shall be made, opened, or restored in any dwelling-house, cottage, or tenement, after the commencement of each year's assessment, and notice thereof shall be given as directed by the said acts, the assessments for the windows or lights in such house, cottage, or tenement, shall be amended in respect of any such additional window or windows, and the duty shall be charged and assessed for the full number of windows for the remainder only of the year commencing from the end of the quarter of the year preceding the increase of such window or windows: provided, and in every case of default of notice of the commencement of occupation, or of the increase of windows, as directed by the said acts in the cases herein mentioned, and also in every case where any house, cottage, or tenement shall become occupied, or the additional window or windows therein shall be made or restored within and before the expiration of the first quarter of the year of assessment, the assessments or amended assessments herein directed shall be made and payable for the whole of the year within which such occupation shall have commenced, or such additional number of window or windows shall have been made or restored: provided further, and where any additional window or windows shall be made, opened, or restored, in any house, cottage, or tenement containing at the commencement of the year of assessment not more than seven windows or lights, and thereby made free of duty under the directions of this act, such house, cottage, or tenement shall immediately thereupon become chargeable with duty for and in respect of the full number of windows therein; and an assessment shall in like manner be made, and the duties charged according to such full number of windows, and levied on the occupier or occupiers in respect thereof, for the whole of the year in which any such additional window or windows shall be made, opened, or restored; all which assessments shall be made, amended, levied, and collected by the like rules as any assessment to the said duties is directed to be made, amended, levied, and collected under the directions of the said acts; any thing in the said acts or this act contained to the contrary notwithstanding, 6 G. 4. c. 7. s. 2.

36. Any house or tenement from which the owner or occupier shall have *bonâ fide* removed, and which shall be wholly unfurnished at the time of making the assessment, shall be deemed and taken to be unoccupied, and not liable to assessment, although such house or tenement shall or may be left or committed to the care or charge of a person or servant who shall or may have been placed and shall dwell therein solely for the purpose of airing the same, and of preventing depredation or injury to the premises during the period of their being so unoccupied: provided, and every such house or tenement shall afterwards, and within the year of assessment, be liable to be brought into charge for the whole or a portion of the year, and shall be assessed in the manner directed by the said acts, on the same coming into the possession or occupation of any other person or persons, according to the rules and provisions of the said acts; and where any such house or tenement shall become unoccupied in manner aforesaid, at any time after the commencement of the year, and after an assessment made thereon, it shall be lawful for the respective commissioners, on due notice thereof by the owner or tenant, as in the other cases herein-before provided, to discharge such assessment for the entire quarter or quarters of the year during which it shall appear to the said commissioners such house or tenement shall have so continued wholly unfurnished and unoccupied, save and except by a person or servant for the purposes aforesaid; any thing in the said acts or in this act contained to the contrary notwithstanding, 6 G. 4. c. 7. s. 3.

37. The exemption from duty granted by 57 G. 3. c. 25. [*Stat. Dig.* this tit. pl. 160.] for one glazed window in any room used as a dairy or

cheese-room in any dwelling-house being a farm-house, in the said act described, shall and is hereby declared to extend, from and after the 5th April 1825, to any one such window made with glass in any dairy, and to any one such like window made with glass in any cheese-room, where such rooms shall be distinct, and there shall be more than one room used for such purposes, or either of them, in any farm-house in the said act described; provided that the exemption for more than two such windows shall not in any case be claimed or allowed for any one farm-house; and the further exemption hereby granted shall be claimed and allowed in the manner directed by the said act in the case of one such glazed window, 6 G. 4. c. 7. s. 4.

38. And whereas the rules for charging the duties on windows or lights contained in the said schedule marked (A.) [Stat. Dig. this tit. pp. 1498, 1499], to the said act passed in the 48th year of His said late Majesty's reign annexed, extend to all windows in the interior parts of dwelling-houses, and the household and other offices therein enumerated: and whereas it is expedient to repeal so much of the said rules as apply to the charging any interior lights which wholly derive and give light from exterior windows or lights charged to the said duties; be it further enacted, That upon all assessments to be made for any year commencing from and after the 5th April 1825, all and every the window or windows in any part of a dwelling-house, tenement, or building, or of the household and other offices described in the said act, which shall be an interior window constructed so as wholly to derive and give light from any other window or windows in the exterior wall or walls or outside of any such house, tenement, or building, or offices aforesaid, or on the roof or roofs thereof respectively, such exterior window or windows being duly charged to the said duties, shall not be deemed and taken to be a window or light chargeable with duty; and so much of the rules and provisions in the said act contained, as relate or extend to the assessing and charging any such interior window or light, shall be and the same are hereby repealed, 6 G. 4. c. 7. s. 5.

39. Where the whole or part only of any dwelling-house, being a farm-house, divided or not divided into distinct tenements, shall be occupied by any labourer or labourers, servant or servants, *bonâ fide* retained and employed in affairs of husbandry by the occupier or tenant of the farm to which such dwelling-house shall belong, and no part thereof shall be occupied by the occupier or tenant of the said farm, or by any other person or persons (except as aforesaid), such dwelling-house, and the landlord, occupier, or tenant, shall, during the continuance of the occupation in manner aforesaid, be exempt from any duty chargeable for such house by the said acts; provided that every such exemption shall be duly claimed by the occupier or tenant of the farm, and allowed in the manner directed by the said acts as in other cases of exemption from the said duties, 6 G. 4. c. 7. s. 6.

40. And whereas by 57 G. 3. c. 25. [Stat. Dig. this tit. pl. 160. 167—170] and 5 G. 4. c. 44. s. 4, exemptions from duty are provided for certain houses, tenements, or buildings, occupied or used by persons in trade, or exercising professions, vocations, or callings in the manner therein described, no person inhabiting, dwelling, or abiding therein, except in the day-time only, and the occupiers respectively having separate and distinct places of residence, as therein mentioned; and the said first-mentioned act also contains a provision for authorizing the occupier of certain of such premises, namely, of any detached mill or place of manufacture or warehouse, not being parcel of or attached to any other dwelling-house, to appoint any one of his or her servants named in a licence to be granted by the respective commissioners in the manner therein authorized, to watch and guard such premises in the night-time, without being liable to the said duties: and whereas it may be expedient, for the protection of property, to extend the provision last-mentioned to other cases of houses, tenements, or buildings within the exemptions in the said acts described, for the purpose of watching and guarding the same in the night-time; be it further enacted, That upon all assessments of the said duties, to be made for any year commencing from and after the 5th April 1825, it shall and may be lawful for the commissioners acting in the execution of the said acts, and of this act, in their respective districts, and they are hereby authorized and empowered at the instance and request of any occupier or occupiers of any house, tenement, or building, for which exemption from the said duties is provided, and shall be duly claimed and allowed under the provisions of the said acts, to grant to any such occupier or occupiers a licence in writing, signed by any three of such commissioners, at a meeting and in the manner by the said first-mentioned act prescribed, authorizing such occupier or occupiers to appoint any one of his or her servant or servants named in such licence to watch and guard such house, tenement, or building in the night-time; and that the abiding of such licensed servant therein, for the purposes only of watching and guarding the same under such licence, shall not render the occupier thereof liable to the duties by the said acts granted, for the year in which such exemption shall be allowed, and such licence shall be obtained; and which licence

shall not in any case extend to authorizing any servant or servants to be named therein, or any part of his or her family to inhabit or dwell in any such house, tenement, or building, as a place of residence; any thing in the said acts contained to the contrary notwithstanding, 6 G. 4. c. 7. s. 7.

41. Nothing herein contained shall render any person or persons liable to a higher or other duty of assessed taxes in lieu of the duties hereby repealed, so far as the same apply to the particular person or article employed, kept, or used; provided that the employment or use, and also the construction of any carriage, shall not exceed the employment, use, or construction respectively allowed under the regulations of the said acts or of this act, and the rules and schedules therein, by which such duties hereby repealed were granted and regulated; and the provisions of the 4 G. 4. c. 11, so far as the same apply to the protection of persons from further assessment to any other duty in lieu of the duties thereby repealed (subject as therein mentioned), shall be extended and applied to the duties hereby repealed, to all intents as if the said provisions were re-enacted by and made particularly applicable to the provisions of this act; and where any person or persons shall be chargeable with and duly assessed to the duty for any carriage with less than four wheels, and shall occasionally employ in the capacity of groom, stable-boy, or helper in the stable, any person *bonâ fide* retained by him, her, or them for the purposes of husbandry, manufacture, or trade, such person or persons shall not be charged with any duty payable by the said acts in any year commencing from and after the 5th April 1825, for a male person, by reason of such occasional employment; and where any person being a victualler duly licensed to sell ale or beer shall employ any one male person under the age of 15 years to draw, carry out, or deliver by retail any ale, beer, or liquors, which any such victualler shall be duly licensed to sell, such victualler shall not be liable to any duty chargeable by the said acts for one such male person, by reason of such employment; and any person who shall have kept and used, or who shall keep and use any carriage, built and constructed in every respect as a taxed cart, under the rules and regulations of the said acts, shall not be liable to any other or higher duty for such carriage in lieu of the said duty on taxed carts hereby repealed, although such person shall or may have used or shall use the same with the seat of such carriage not fixed, or with such seat suspended by slings or braces; and any person who shall have kept and used, or who shall keep and use any carriage with three wheels, in every respect (other than in the number of wheels) built and constructed and within the description contained in the 58 G. 3. c. 17, for charging the duty hereby repealed on carriages with four wheels drawn by ponies, mules, oxen, or asses, shall not be chargeable with any duty for such carriages with three wheels; and any person or persons occupying a farm of less annual value than 200*l. per ann.*, and making a livelihood principally thereby, shall be exempt from duty for any horses, mares, or geldings *bonâ fide* kept and generally employed by such person or persons for the purposes of husbandry on such farm, although such horses, mares, or geldings, or any of them, shall be occasionally let to hire or used by such person or persons in drawing for hire or profit, in the manner allowed by 3 G. 4. c. 50. s. 4, [ante, pl. 15], by occupiers of farms of the like annual value, and making a livelihood solely thereby, and from the profits of such letting and use; any thing in the said several acts contained to the contrary notwithstanding, 6 G. 4. c. 7. s. 8.

42. The repeal by this act of the said duties on coachmakers and on makers of carriages, and also on persons selling carriages by auction or on commission, shall not in any manner be construed or taken to exempt any or either of such description of persons from their several liabilities to keep and make entries for inspection, in books, of carriages built or constructed in the manner required by the said acts, and to deliver copies of entries made in such books to the assessor or assessors in the said acts described, subject to the penalties for default thereof, and relating thereto respectively, as provided and required by the several acts in force at the passing of this act; and which provisions, so far as the same apply to such coachmakers and makers and sellers of carriages, are hereby declared to remain in full force; any thing in this act contained to the contrary notwithstanding, 6 G. 4. c. 7. s. 9.

43. Where any contract of composition now in force for any of the duties of assessed taxes doth contain any duty or duties repealed, or for which exemption is provided by this act, it shall be lawful for the commissioners acting in the execution of the said acts and of this act, in their respective districts, and they are hereby authorized and required, to cause every such contract, and the assessments and duplicates thereof or relating thereto, to be reduced in respect and to the amount of any such duty or duties hereby repealed or exempted, with the additional duty payable thereon by virtue of such contract; and every such reduction shall commence and take effect from and after the days herein directed for the repeal of or exemption from such duties respectively; all which reductions shall and may be made under the rules and provisions of the 4 G. 4. c. 11., and of the several other acts in that behalf; and every such

contract so reduced shall be of the same force and effect for the recovery and enforcing payment of the reduced instalments, to all intents as if the full amount of the instalments compounded for continued payable on such contracts, 6 G. 4. c. 7. s. 10.

44. And whereas, by reason of the repeal and reduction of the said duties of assessed taxes respectively, the compensation by poundage directed by the said acts on the amount of the assessments of the remaining duties to persons acting as clerks to the said commissioners of certain districts, may in particular cases, be inadequate to enable such clerks to defray the expences incurred by them in the execution of their duty under the said acts; be it further enacted, That it shall and may be lawful for the treasury to order and direct the allowance and discharge of such actual expences, or any part thereof, as shall be necessarily incurred by any such clerk in the due execution of the said acts, where such allowance shall appear to the treasury reasonable and proper to be made, over and above the allowance by poundage made to any such clerk for the particular year of assessment to which such expences shall relate, under the authority of the said act; and the certificate of the commissioners for the affairs of taxes, or any three or more of them, shall be an authority to the receivers-general respectively to pay such further allowance, 6 G. 4. c. 7. s. 11.

45. And whereas by the 48 G. 3. c. 55. and 52 G. 3. c. 93., and the exemptions contained in schedule (G.) [Stat. Dig. this tit. p. 1510.] thereof, any person who, on account of poverty, shall be discharged from the assessment made in respect of his or her dwelling-house in pursuance of the regulations of the said acts, and having one dog and no more, the same not being a greyhound, hound, pointer, setting-dog, spaniel, lurcher, or terrier, is exempted from the duty for such dog, to be allowed in the manner by the said acts prescribed: and whereas, by reason of the repeal by this act of certain of the said duties on windows and inhabited houses, persons who would have been entitled to such exemptions before the passing of this act, may lose the benefit thereof for one dog, without further provision for that purpose; be it further enacted, That in every case where any certificate for exemption on account of poverty, obtained in the manner by the said acts directed, shall be duly made and delivered to the respective commissioners, and shall be found and adjudged by them respectively to be sufficient for exempting any person from any of the duties in respect of his dwelling-house hereby repealed, if such duties had continued payable, it shall and may be lawful for the said respective commissioners, and they are hereby authorized, upon the allowance of any such certificate, to grant the said exemption for one such dog, to all intents as if the said duties in respect of the dwelling-house of the person seeking the benefit of the said exemption had been discharged from the assessment under any such certificate: provided, that a due assessment shall be made for every such dog, and that the discharge thereof shall be made by the respective commissioners on the production and allowance of the said certificates, and in the manner prescribed for granting exemptions by the said acts, 6 G. 4. c. 7. s. 12.

46. The several powers and provisions contained in this act shall be carried and put into execution by the several commissioners, assessors, collectors, inspectors, surveyors, and other officers appointed and acting in the execution of the said acts in their respective districts, and the several powers, rules, and provisions in the said acts contained, in assessing, collecting, granting exemptions from, and enforcing, paying, and accounting for the said duties and compositions (except so far as the same are herein varied, or for which other provisions are made by this act), shall be practised and put in execution by such commissioners and other officers respectively, to all intents, and subject to the like penalties and forfeitures and authorities to enforce and recover the same, as if such powers, rules, and provisions, penalties and forfeitures, had been expressly re-enacted and incorporated in and by this act, 6 G. 4. c. 7. s. 13.

III. Compounding.

47. To extend the period allowed to persons compounding for their assessed taxes, and to give further relief in certain cases therein mentioned, 3 G. 4. c. 50. [4 G. 4. c. 45, 5 G. 4. c. 44. AMD. as to persons compounding for duties on two-wheeled carriages keeping four-wheeled carriages, 4 G. 4. c. 11. s. 6.; and for reducing the payments under contracts of composition made in respect of articles which are repealed by this act. 6 G. 4. c. 7. s. 10., ante, pl. 43.]

48. Whereas by 1 & 2 G. 4. c. 113. [Stat. Dig. this tit. pl. 260. 293, et seq.], intituled, *An Act to continue several acts for the relief of persons compounding for assessed taxes from an annual assessment, for a further term; and to amend the acts relating to assessments and compositions of assessed taxes*, persons therein described, who had compounded for the

said duties under the acts therein recited, were authorized to continue their former compositions for a further term; and persons therein also described, who had not so compounded, were authorized to compound for the term and in the manner in the said act prescribed, and on the conditions therein contained: provided that such persons respectively should give notices of their intentions so to continue their former compositions, or to compound, on or before the 5th April 1822, in the manner by the said act prescribed: and whereas it is expedient to enlarge the period for compounding under the said act, and to grant relief in certain cases herein-after described: be it therefore enacted—[Time for compounding or continuing composition extended on notice given before 1st Sept. 1822, 3 G. 4. c. 50. s. 1. Again extended on notice given before 1st Sept. 1823, 4 G. 4. c. 45. ss. 1, 2.]

49. Whereas by 4 G. 4. c. 45. s. 2., intituled, *An Act for allowing persons to compound for their assessed taxes for the remainder of the periods of composition limited by former acts, and for giving relief in certain cases therein mentioned*, the persons therein described, who had not entered into composition under the provisions of the acts therein mentioned, within the times thereby limited, were authorized, on giving notice on or before the 1st Sept. 1823, to compound on their respective assessments, to be made for the year commencing from the 5th April 1823, for the then remainder of the periods in the said acts named, (that is to say) for the term of five years for the duties on houses and windows, and for the term of four years for the other assessed taxes: and whereas it is expedient further to extend the provisions of the said acts, for enabling persons now to enter into composition for the remainder of the said periods which were unexpired on the 5th April 1824, in the manner herein provided; be it therefore enacted, That from and after the passing of this act [3d June 1824], it shall and may be lawful for any person who shall be duly assessed to the said rates and duties for the year commencing the 5th April 1824, and who shall give the notice of their, his, or her intention to compound within the time and in the manner herein-after provided, and they are hereby respectively declared to be competent to compound for the rates and duties assessed on his dwelling-house for the term of four years, and for his other assessed taxes allowed to be compounded for by the said acts, and therein particularly enumerated, for the term of three years respectively, to commence from the 5th April 1824, together with an additional annual duty of 1s. for every 20s. of the respective amounts so assessed, and so after that rate for any greater or lesser sum than 20s.; and the assessments so to be made and compounded for under this act, shall severally be and remain to the same annual amount for the respective periods last-mentioned, to all intents as if the said duties had been compounded for under the said acts, 5 G. 4. c. 44. s. 1. EXP.

50. Every person desirous of compounding under this act shall, on or before the 2nd Aug. 1824, deliver or cause to be delivered, free of charge, to the surveyors acting for the respective districts comprising the parishes or places wherein such persons shall respectively reside, a notice in writing, according to the form and in the manner by the said acts directed, declaring his intention to compound under this act, and which notice shall be acted upon, observed, and followed for the purposes of composition, on a full and complete assessment for the said year, commencing from the 5th April 1824; and the said commissioners shall and are hereby authorized and required to contract with such persons respectively, under the provisions in the said recited acts and this act respectively contained, for the periods and in the manner herein limited, and according to the form of contract [which is here omitted, the clause having expired] set forth in the schedule to this act annexed, *mutatis mutandis*, to all intents as if such notices had been delivered within the times by the said acts limited, and under the several provisions thereof, 5 G. 4. c. 44. s. 2. EXP.

51. The several persons who for the time being shall be commissioners for putting in execution the acts relating to assessed taxes, and the said recited acts for compounding for the said duties, shall be commissioners for putting in execution this act, and the powers herein referred to or contained, in all and every the respective counties, ridings, divisions, shires, and stewartries, cities, boroughs, cinque ports, towns, and places in G. B.; and the several assessors, collectors, surveyors, inspectors, and inspectors-general for the time being, appointed or to be appointed to put in execution the said acts, shall respectively be assessors, collectors, surveyors, inspectors, and inspectors-general, to put in execution this act within the limits of their respective divisions, districts, and places to which they are or shall be appointed; and the respective commissioners and other persons authorized by the said recited acts to contract and agree for such compositions, or to do or perform any other matter or thing for carrying the said recited acts into execution shall, severally and respectively, contract and agree for the composition to be entered into under this act, and do and perform all such matters and things as are required to be done and performed in execution of this act within the limits of their respective jurisdictions, and all the powers and authorities given and granted to them by or un-

der the said recited acts, so far as they apply and are not repugnant to this act, shall be revived and continued for and during the respective terms herein limited, as fully as if the same were herein expressly re-enacted, and shall severally be applied, construed, deemed and taken to belong to this act as part thereof, in like manner as if the same had been herein expressly given; and the said commissioners and others before mentioned are hereby empowered and required to do and perform all things necessary for putting this act in execution in the like and as full a manner as they or any of them were authorized to put in execution the several recited acts, 5 G. 4. c. 44. s. 3., 4 G. 4. c. 45. s. 8. [See 5 G. 4. c. 44. ss. 4—8. inclusive, ante, pl. 28—32.]

52. And whereas a power is given in and by the said first mentioned act, 1 & 2 G. 4. c. 115. s. 8. [Stat. Dig. this tit. pl. 308.] to persons therein described, who had compounded for any of the duties of assessed taxes in the said act enumerated, other than the duties on houses and windows, to renew his or her former composition on such establishments for the further time therein limited, in respect of the particular articles allowed to be compounded for under the said act, on payment to the same amount in respect of such articles, and a further duty granted by the said act of 1s. for every 20s. of the aggregate amount of such former composition: and whereas it is expedient to relieve from the said additional duty of 1s. persons who have not at any time during the period of their former compositions increased their establishment, upon which they so first compounded, so as to have become chargeable with a greater aggregate amount of duty than the amount compounded for, such claims of exemption being made and allowed in the manner herein-after provided; be it further enacted, That if any person or persons who have given, or who shall give notice of renewing his, her, or their former compositions under the provisions of the said recited act, or of this act, shall not have increased his, her, or their establishment since entering into such first composition, whereby such person or persons have not become or are liable to be charged with a greater amount of duty for the whole of the articles chargeable than the duty so compounded for, it shall and may be lawful for him, her, or them to claim the exemption from the said additional duty granted by the said act, upon giving notice in writing of such his, her, or their intention to the surveyor of the said duties acting for the district in which such person or persons shall reside, according to the form in the schedule [which is not here given, the clause having expired] to this act annexed, on or before the 1st Sept. 1822; and all such notices shall and may be retained in the hands of the said surveyor respectively, until the expiration of 30 days after the delivery thereof; and every such surveyor shall carefully and diligently examine the same, and from time to time, within the said period of 30 days, deliver the same to, and therewith certify to the said respective commissioners, his satisfaction with, or his objections to the said notices delivered in such cases; and in case the surveyor shall object to any such claim, he is hereby required to give notice thereof in writing to the respective commissioners, and his objections thereto shall, in pursuance of such notice, be heard upon appeal before the said respective commissioners, subject to such rules and regulations as appeals are directed to be heard and determined under the several acts relating to the assessed taxes, 3 G. 4. c. 50. s. 2.

53. In all claims to be allowed by the said respective commissioners, acting in the execution of the said acts and of this act, in the cases herein provided, it shall be lawful for the said commissioners, and they are hereby authorized and required, to contract with the said persons, under the said recited act, for a renewal of his, her, or their composition, exclusive of the said additional duty by the said act granted; and where any claim shall be made and allowed under this act, upon any contract made and entered into before the passing thereof, it shall be lawful for any two of the said respective commissioners, and they are hereby required, to certify under their hands every such allowance on the back of such contract, without erasing the said additional duty from the body thereof; and all and every such contracts so endorsed shall be as valid and effectual for enforcing the same to the amount of the reduced consideration and instalments by virtue of such endorsement, to all intents as if the said contracts had been originally entered into without including therein the said additional or further duty, 3 G. 4. c. 50. s. 3. [See ss. 4, 5. ante, pl. 15, 16.]

54. And whereas persons removing from their respective dwelling-houses at any time within the year ending the 5th April 1822, and occupying other dwelling-houses to which they have not been assessed for that year, are required to deliver statements of the number of windows, and the value of the said dwelling-houses, at which the same were respectively chargeable, in order to an assessment for the year commencing 5th April 1822, on the amount whereof the persons therein described are respectively authorized to compound under the said first-mentioned act; and whereas doubts have arisen as to the time at which such statements were intended by the said act to be delivered, and the windows to be comprized therein; be it declared and further enacted,

That the windows to be returned in each such statement were intended by the said last-mentioned act to be, and shall be, the same number on which an assessment hath been made, or might or ought to have been made thereon, if the same had been then occupied for the year ending on the 5th April 1822, according to the laws relating to assessed taxes in force at the time of making the said act; and in all cases where any statement hath been delivered before the passing of this act [1st July 1822], containing a less number of windows than were chargeable on the dwelling-house mentioned therein on the 6th April 1821, a new statement shall be delivered within two calendar months after the passing of this act, conformable to the declaration and enactment before-mentioned, and it shall be lawful for any person or persons before described, whether such statements have been before delivered or not, to deliver such statements within the said period according to which assessments shall be made on the number of windows comprized therein; and all contracts of composition made or to be made contrary to this act, shall be void and of no effect; provided, that the commissioners who may have already executed any contract of composition upon statements delivered contrary to this act, may amend the same without executing new contracts, by endorsing thereon the number of additional windows, duty, and per centage, on every such contract, 3 G. 4. c. 50. s. 6.

55. It shall be lawful for every person competent to renew his, her, or their composition, or to compound under the said recited act or this act, to include in such composition renewed or entered into respectively, the duty in respect of any clerk, or of any steward, bailiff, overseer, or manager, or of any male person described in the 52 G. 3. c. 93. schedule (C.) No. 3. [Stat. Dig. this title, p. 1503] such male person being occasionally employed in any of the capacities enumerated in the schedule to the said act marked (C.) No. 1., as in the said schedule No. 3. is described: provided nevertheless, that the composition of any such person so renewing his, her, or their former composition, or compounding, shall contain the duty for one such servant chargeable in the said schedule marked (C.), No. 1.; and it shall be lawful for the respective commissioners to include such respective articles herein allowed, or any of them in such composition respectively, on the same terms as if the said articles had been originally allowed to be compounded for by the said act; and in cases where contracts shall have been entered into before the passing of this act, it shall be lawful for the said respective commissioners, and they are hereby authorized to amend the same, by causing the amount of composition for any of the articles aforesaid, to be certified by endorsement on such contract, under the hands of any two of such commissioners; and the sum so charged and added to the amount of the said composition in and by such certificate, and to the assessment thereof, shall and may be levied and recovered by the same instalments, and in like manner, as the amount of composition inserted in the body of such contract, and in addition thereto; any thing herein-before contained to the contrary notwithstanding, 3 G. 4. c. 50. s. 7.

56. If any person, during the continuance of his composition under the said act or this act, shall, by reason of any employment in the public service in the execution of any office, military, naval, or civil, be required and ordered to reside out of the U. K., and such person shall give notice thereof to the surveyor of the district in which such composition shall be entered into, every such composition shall cease and determine on the 5th April next after such notice and the time of such absence and removal from the said U. K., on payment of all arrears due on such contract up to the said 5th April last-mentioned; and the commissioners for the affairs of taxes shall cause the discontinuance of such contract to be certified to the commissioners of the district in which it was made: provided, that nothing herein contained shall exempt any such person from his or her liability to assessment under the acts relating to the assessed taxes for any year or years commencing from the 5th April last aforesaid, in respect of all or any part of his establishment continued to be kept and employed in the said U. K. for any part of his family, or from his liability to assessment under the said acts, from and after the 5th April next following the discontinuance of such employment in the public service, and his returning to and residing in the U. K. to all intents, as if such composition had not been entered into, 3 G. 4. c. 50. s. 8.

57. The several and respective commissioners acting in the execution of the said act, shall be commissioners for putting in execution this act, and the powers herein referred to or contained, in all and every the respective counties, ridings, divisions, shires, and stewartries, cities, boroughs, cinque ports, towns, and places in G. B.; and the several collectors, surveyors, inspectors, and inspectors-general for the time being, appointed or to be appointed to put in execution the said recited act, shall respectively be collectors, surveyors, inspectors, and inspectors-general, to put in execution this act, within the limits of their respective divisions, districts, and places to which they are or shall be appointed; and the said commissioners and others before-mentioned are hereby empowered and required to do and perform all things necessary for putting

this act in execution, in the like and in as full and ample a manner as they or any of them are or is authorized to put in execution the said act; and all and every the powers and authorities, methods, rules, directions, penalties, forfeitures, clauses, matters, and things contained or referred to in the said act (except where such provisions are varied, or other provisions are substituted by this act), shall, in collecting, levying, and accounting for the said compositions and monies respectively, be severally and respectively duly observed, practised, and put in execution throughout *G. B.*, in relation to all and every the compositions, duties, and monies aforesaid, as fully and effectually to all intents and purposes as if the same powers, authorities, methods, rules, directions, penalties, forfeitures, clauses, matters, and things were particularly repeated and re-enacted in the body of this act, and applied to all and every such compositions, duties, and monies aforesaid, as part of the provisions of this act, 3 *G. 4. c. 50. s. 9.*

58. And whereas by reason of the repeal of the duties of assessed taxes in *Ire.*, persons who have entered into composition in that part of the U. K., under the provisions of the act authorizing compositions in *Ire.*, will, on their removal to *G. B.*, lose the benefit of such compositions in regard to any increase of the description of articles so compounded for in *Ire.*; and it is expedient to give relief to such persons, by allowing them to compound under the provisions of this act, according to the number and extent only of the articles compounded for in *Ire.*; be it further enacted, That in every case in which any person so having compounded in *Ire.* shall, on the occasion of his residence in *G. B.*, be desirous of retaining the benefit of the same contract of composition entered into in *Ire.*, it shall be lawful for him so to do, and for that purpose to annex to the said notice of his intention to compound under this act, to be given within the period and in manner herein-before described, the original contract of composition entered into in *Ire.*, or a true copy thereof, duly authenticated by the proper officer in that behalf; and on the receipt of such notice and contract, or a true copy thereof, it shall and may be lawful for the respective commissioners acting in the execution of this act in and for the district in which such notice shall be delivered, and such person shall reside, to make an assessment of duty on every such person respectively, for the year commencing from 5th April 1823, according to the number only of the particular articles so included in the said contract of composition, and which shall be deemed and taken in such cases as a full assessment, for the purposes of composition, for the like description of articles under this act; and it shall thereupon be lawful for the said commissioners to enter into a contract of composition with such persons respectively, under the provisions of this act; and all such compositions so to be entered into shall be of the same force and effect, and shall give the person compounding the like privileges and advantages in respect of the same description of articles contained in such composition, as would have been enjoyed under any other contract authorized to be made by virtue of this act: provided, that no such contract so to be entered into as last aforesaid, and nothing herein contained, shall be construed to exempt any such person last-mentioned from assessment during the continuance of his said composition, by reason of his residence in *G. B.*, for and in respect of any articles kept and used, and chargeable with any duty under the said acts, of a description different from the duties compounded for in *Ire.*, but such persons respectively may, on giving notice of his intention in that behalf, in the manner herein-before directed, respectively compound under this act for such other articles, upon and according to a full and true return and assessment for the same, to be made for the said year, commencing as aforesaid, in the manner directed by this act in other cases of composition; and the whole of the duties so to be compounded for shall and may in such cases be included in one and the same contract, 4 *G. 4. c. 45. s. 3.*

59. Where any person compounding under the said recited acts or this act shall have removed from the district in which such composition shall have been entered into, to another dwelling-house and place of residence, and shall thereupon cease to have any dwelling-house or place of residence within the district in which he so compounded, the annual assessment payable on such composition for the year commencing from 5th April next following such removal, shall be transferred to the district in which such person shall then reside; and it shall be lawful for the respective commissioners acting in the execution of the said acts and of this act, within and for the district to which such person shall have so removed, and they are hereby required, upon receiving a certificate thereof, and of the amount of the annual assessment payable on any such person's contract of composition in the former district, under the hands of any two of the commissioners acting for such last-mentioned district (and which certificate to be prepared under the authority of the commissioners for the affairs of taxes, the said commissioners acting for the said district are hereby required to sign and cause to be delivered to the surveyor for the same district from time to time, as soon as conveniently may be, after every such removal), to cause the several amounts of the duties and instalments compounded for and pay-

able from and after the period last aforesaid, by any such person, to be added to and charged in the assessment of the parish to which such person shall have so removed, and in the annual duplicate of assessment required to be made out by the said commissioners under the said acts for such last-mentioned district; and all such assessments and instalments of composition shall, when so transferred, be collected, levied, and raised under the same powers, and by the same rules, provisions, ways, and means, as if the said duties had been originally compounded for and made payable to the collectors or collector in the said last-mentioned district, and as if the same originally formed part of the assessment of the parish, ward, or place to which the said instalments shall have become transferred under the authority of this act, any thing in the said recited acts or in any contract contained to the contrary notwithstanding: provided, that nothing herein contained, notwithstanding the transfer of the said future instalments, shall prevent the raising and levying of all arrears of composition payable by the persons last herein described, in the district from which they, he, or she shall have so removed as aforesaid, or otherwise, up to the 5th April next following such removal, by the same powers and provisions as the said duties were recoverable before the passing of this act; and all such future instalments, until actually transferred to the assessment of another parish, ward, or place, shall so in like manner be raised and levied under the provisions of the said acts, as part of the assessments of the district in which such compositions were entered into, 4 *G. 4. c. 45. s. 4.*

60. In every case when and as the future instalments payable under any composition shall have been transferred, and added to the assessment of the parish, ward, or place, in the district to which any person shall have removed under the provisions last herein-before contained, and which shall be duly certified under the authority of the commissioners for the affairs of taxes, it shall be lawful for the commissioners acting for the district from which the person whose composition shall be so transferred shall have ceased to reside, to discharge all such future instalments so transferred, from the assessment on the parish, ward, or place therewith before charged, and in the duplicates of the said duties to be prepared and transmitted from the said last-mentioned district, under the provisions of the said acts, 4 *G. 4. c. 45. s. 5.*

61. In order to the due collection and payment of the instalments on compositions, to all intents as annual assessments in the districts in which the persons chargeable shall reside during the continuance of such compositions, it shall and may be lawful for the respective commissioners acting for any district from which any such person shall again and from time to time remove, to observe and follow the like provisions for transferring the instalments due and payable on such composition, for the year commencing from the 5th April next following such removal, to the district, parish, ward, and place to which such person shall again remove, and for the commissioners acting for the last-mentioned district to add the same to the assessment, and cause the same to be raised in such last-mentioned district, by the same ways and means as are herein provided with respect to a first removal; and all and every the said provisions last herein contained, as applied to a first removal, shall be observed, followed, and applied to and upon every subsequent removal of the same person, as well for enforcing the payment of all arrears of the said compositions, as for charging and raising the future instalment or instalments, as part of the assessment of the parish, ward, or place, to and in which the person so compounding shall actually remove and reside, as for exonerating and discharging the assessments and duplicates for the parish, ward, and place from which such person shall have so again removed, 4 *G. 4. c. 45. s. 6.*

62. Where any person having compounded under the said acts for a carriage with two wheels, shall have substituted a four-wheel carriage in lieu thereof, and have compounded for the same, and for payment of the difference of duty, under the power given for that purpose by an act passed in the last session of parliament [so in the act, but the title corresponds with 4 *G. 4. c. 11.*], intituled, *An Act for repealing certain of the duties of assessed taxes, for reducing certain other of the said duties, and for relieving persons who have compounded for the same*, it shall be lawful for every such person to have and enjoy the same privileges during the continuance of his said contract, as he would have enjoyed under the said acts, if they respectively had originally compounded for a carriage with four wheels; and every person who hath compounded under the said acts, or who shall compound under this act for a male servant or male servants, chargeable with duty under schedule (C.) No. 1, of 52 *G. 3. c. 93.* [Stat. Dig. this title, p. 1502] may employ any male person or male persons, not being servants to such persons so compounding, as occasional waiters, or in any of the capacities enumerated in the said schedule (C.) No. 1, free of any duty, provided such respective employments shall not exceed or extend beyond those allowed and defined by the rules contained in the schedule marked (C.) No. 3, of the said last-mentioned act, in respect of such male persons last-mentioned; and all assessments made or to be made on such persons so compounding as last aforesaid,

during the continuance of his, her, or their composition, in respect of any such occasional waiters or male persons aforesaid, shall be null and void, 4 G. 4. c. 45. s. 7. [See s. 8. *ante*, pl. 51.]

63. All and every the provisions, directions, rules, regulations, methods, clauses, matters, and things contained in the said recited acts, although expressly applied to the compositions made under the said acts, or either of them, shall severally and respectively be construed and deemed to apply to the compositions to be entered into under this act, and (except where other provisions, directions, rules, regulations, methods, clauses, matters, and things are substituted in and by this act) shall severally and respectively be used and practised in ascertaining the amount on which any composition is to be made, and the additional rate to be imposed thereon, and in doing and performing all other matters and things necessary for carrying this act into execution, and shall be construed, deemed, and taken to belong to this act, as part thereof, in like manner as if the same were severally repeated in and expressly applied to the provisions of this act; and where other provisions, directions, rules, regulations, methods, clauses, matters, or things are substituted by this act, in lieu of any provisions, directions, rules, regulations, methods, clauses, matters, or things contained in the said acts, the same respectively shall be construed, used, and practised in such manner and to the like effect in all respects, as if the said recited acts and this act had been incorporated, and as if this act had expressly abrogated and made void the several parts of the said recited acts, in lieu whereof any part of this act is substituted, 4 G. 4. c. 45. s. 9. [See s. 10, *ante*, pl. 19.]

64. Provisions of former composition acts, except as hereby varied, applied to this act in entering into compositions, and granting relief under existing compositions, 5 G. 4. c. 44. s. 8. [See the section at length, *ante*, pl. 32.]

65. In case any person, who, having compounded under the said recited acts, in respect of a carriage with two wheels, shall be desirous, during the year commencing on the 5th April 1823, of discontinuing to keep the same, and of substituting a carriage with four wheels in lieu thereof, it shall be lawful for him so to do, on giving notice of such his or her intention to the surveyor of the said duties acting for the district in which such person shall reside, within six calendar months after the passing of this act, on payment of the difference of duty so compounded for on a two-wheeled carriage, and reduced by this act, and the duty chargeable by the said act and also reduced by this act, on a four-wheeled carriage, together with the duty of 5 per cent. on such difference to be endorsed by certificate on every such contract of composition by any two of the commissioners acting in the execution of the same acts in the district in which such contract shall have been entered into, and to be made payable from and after the 5th April 1823, by half-yearly instalments, during the continuance of the said contract, and which additional payments shall be enforced in like manner as if they were originally inserted in every such contract, and any person seeking the benefit of this provision shall and may, during the continuance of his or her said composition, keep and use any four-wheeled carriage free of duty, 4 G. 4. c. 11. s. 6.

The SCHEDULE to which 5 G. 4. c. 44. s. 2. pl. 50. refers.

Form of contract of composition under the act of 5 G. 4.

				Amount of duties.		
				£	s.	d.
Windows	-	-	No.			
Rent	-	-	Amount			
Total amount of duty						
Composition duty of 5l. per cent.						
Total amount of composition						
ESTABLISHMENT.						
No.			Schedules.			
Servants	-	-	C. No. 1.			
Male Persons	-	-	C. No. 3.			
Four-wheeled carriages	-	-	D. No. 1.			
Two-wheeled carriages	-	-	D. No. 2.			
Taxed carts	-	-	D. No. 4.			
Horses for riding or drawing	-	-	E. No. 1.			
Race-horses	-	-	E. No. 3.			
Dogs	-	-	G.			
Hair-powder	-	-	I.			
Armorial bearings	-	-	K.			
Total amount of duties						
Composition duty of 5l. per cent.						
Total amount of composition for establishment						
Do. for house						
Total amount of composition						

KNOW all men, That we, two of the commissioners acting in the execution of the acts in relation to the assessed taxes for the division of—in the county of—have contracted and agreed with—of—in the said division, in pursuance of an act passed in the fifth year of King George the Fourth, for the composition of assessed taxes, as stated in the margin hereof, and additional rate; which several amounts are to be paid to the collectors of the said—or to the collectors of any parish or place to which the said—shall remove, and to which any part of the said composition shall thereupon be transferred, under the provisions of the said act, by two instalments; viz.

1st instalment on or before the tenth day of October:

2d Instalment on or before the fifth day of April:

and so yearly, during the respective terms of four years, and three years, from the fifth day of April 1824, mentioned in the said act.

The condition of the above composition is, that the above-named—shall duly pay, or cause to be paid, to the collectors for the said compositions, or one of them, on or before the days above mentioned, upon demand, the yearly sum of—by two instalments in even portions, taking their or his receipt in writing for the same; otherwise the said composition shall be levied of the goods and chattels of the said—or sued for and recovered by any of the ways and means by which the monies due on assessments may be sued for and recovered.

Dated the _____ day of _____

Witness,

Clerk.

Witness,

Clerk.

N. B. — With the consent of the commissioners, the collector of the parish may witness the signature of the party to the contract.

} Commissioners of the
} within divisions.
} The party hereto.

TRANSPORTATION.

(STATUTES *expired.*)

1. To amend the several laws relative to the transportation of offenders, to continue in force till 1st May 1821., 56 G. 3. c. 27. [*Stat. Dig.* this tit. *pl.* 25.] EXTENDED to offenders in foreign dominions, 59 G. 3. c. 101.; CONTINUED for two years, 1 & 2 G. 4. c. 6.; AMENDED as to the employment in the colonies of male convicts under sentence of transportation, 4 G. 4. c. 47., which was, by s. 5. to continue in force so long as 56 G. 3. c. 27. remained in force; — all therefore now EXPIRED.

(STATUTES *in force.*)

2. For the transportation of offenders from G. B., 5 G. 4. c. 84.

3. Whereas the several laws in force for regulating the transportation of offenders from G. B. will expire at the end of the present session of parliament; and it is expedient that the laws relative to that subject should be revised and consolidated into one act: be it therefore enacted, That this act shall take effect on the last day of this present session of parliament; and that on and from that day, all things remaining to be done, touching the punishment, imprisonment, correction, removal, transportation, discipline, employment, diet, and clothing of persons sentenced or ordered to transportation or banishment from any part of G. B., under any acts heretofore or now in force, or pardoned on condition of being transported under any such acts, shall be continued, done, and completed under the provisions of this act; and that all sentences and orders for transportation, all orders in council, and other orders, warrants, instructions, directions, appointments, authorities, contracts, and securities, made, issued, or given under any of the said acts, and in force at the time of the commencement of this act, shall continue in force under and by virtue of this act, unless and until they shall be revoked or superseded, 5 G. 4. c. 84. s. 1.

4. From and after the commencement of this act, every person convicted before any court of competent jurisdiction in G. B., of an offence for which he or she shall be liable to be transported or banished, shall be adjudged and ordered to be transported or banished beyond the seas, for the term of life or years for which such offender shall be liable by any law to be transported or banished; and every sentence of transportation or banishment passed or to be passed on any offender in any court of competent jurisdiction in G. B., and every order for transportation or banishment made or to be made in pursuance of the sentence of any such court or other competent authority, shall subject the offender to be conveyed beyond the seas under the provisions of this act; and whenever H. M. shall be pleased to extend mercy to any offender convicted of any crime for which he or she is or shall be excluded from the benefit of clergy, upon condition of transportation beyond the seas, either for the term of life, or any number of years, and such intention of mercy shall be signified by one of H. M.'s principal secretaries of state to the court before which such offender hath been or shall be convicted, or any subsequent court with the like authority, such court shall allow to such offender the benefit of a conditional pardon, and make an order for the immediate transportation of such offender; and in case such intention of mercy shall be so signified to the judge or justice before whom such offender hath been or shall be convicted, or to any judge of H. M.'s court of K. B. or C. P., or to any baron of the exchequer of the degree of the coif in Eng., such judge, justice, or baron shall allow to such offender the benefit of a conditional pardon, and make an order for the immediate transportation of such offender, in the same manner as if such intention of mercy had been signified to the court during the term or session in or at which such offender was convicted; and such allowance and order shall be considered as an allowance and order made by the court before which such offender was convicted, and shall be entered on the records of the same court by the proper officer thereof, and shall be as effectual, and have the same consequences as if such allowance and order had been made by the same court during the continuance thereof; and every such order, and also every order made by the court of justiciary in Scot. for the transportation of any offender, whose sentence of death shall be remitted by H. M., shall subject the offender to be conveyed beyond the seas under the provisions of this act, 5 G. 4. c. 84. s. 2.

5. It shall be lawful for H. M., by and with the advice of his privy council, from time to time, to appoint any place beyond the seas, either within or without H. M.'s dominions, to which felons and other offenders under sentence or order of transportation or banishment shall be conveyed; and that when any offenders shall be about to be transported or banished from G. B., one of H. M.'s principal secretaries of state shall give orders for their removal to the ship to be employed for their transportation, and shall authorize and empower some person to make a contract for their effectual transportation to some of the places so appointed, and shall direct security to be given for their effectual transportation, in the manner herein-after mentioned, 5 G. 4. c. 84. s. 3.

6. The sheriff or gaoler receiving such order of removal shall by virtue thereof forthwith remove every offender to whom the same shall apply, and who, having been examined by an experienced surgeon or apothecary, shall appear to be free from any putrid or infectious distemper, and fit to be transported to the ship employed for his or her transportation, and there deliver every such offender to the contractor, together with a true copy, attested by such sheriff or gaoler, of the caption and order of the court by which each such offender was sentenced or ordered for transportation, containing the sentence or order of transportation of each such offender, by virtue whereof he or she shall be in the custody of such sheriff or gaoler; and also a certificate specifying concisely the description of his or her crime, his or her age, whether married or unmarried, his or her trade or profession, and an account of his or her behaviour in prison before and after trial, and the gaoler's observations on his or her temper and disposition, and such information concerning his or her connexions and former course of life as may have come to the gaoler's knowledge; and such contractor shall give a receipt in writing to the sheriff or gaoler, for the discharge of such sheriff or gaoler, 5 G. 4. c. 84. s. 4.

7. Every such contractor, with two sureties, shall, before any such offender shall be delivered to him to be transported, give security by bond to H. M., that he will effectually transport, or cause to be transported, every offender included in his contract, to such place beyond the seas as shall be specified in the contract, and procure from the governor of the colony, or other person to whom he shall be directed by one of the principal secretaries of state to deliver such offender, a certificate of the landing of such offender in that place, whereto he or she shall be ordered to be transported (death and casualties by sea excepted); and that such offender shall not be suffered to return to any part of the U. K., by the wilful default of such contractor, or of any person employed by him, 5 G. 4. c. 84. s. 5.

8. If any such offender shall be guilty of misbehaviour or disorderly conduct on board of the ship in which he or she shall be transported, it shall be lawful for the surgeon or principal medical officer for the time being of such ship, to inflict or cause to be inflicted on such misbehaving or disorderly offender, such moderate punishment or correction as may be authorized by the instructions which he may receive from one of H. M.'s principal secretaries of state: provided, that no such punishment or correction shall be so inflicted, unless the master or principal officer for the time being of such ship shall first signify his approbation thereof in writing under his hand; and every such punishment or correction, together with the particulars of the offence for which the same is inflicted, and such written approbation as aforesaid, shall on the same day, in all cases, be entered by such master or principal officer as aforesaid, upon the log-book of the ship, under a penalty of 20*l.* for every neglect to make such entry, to be recovered to the use of the informer, by bill, plaint, or information, in any court of record in Eng., or in one of the supreme courts of New South Wales or Van Dieman's Land, 5 G. 4. c. 84. s. 6.

9. Provided, that whenever the transportation of any such offender shall take place in any ship belonging to H. M., it shall be lawful for one of the principal secretaries of state, by warrant under his hand, to nominate some person who shall have the custody of such offender during the voyage, and thereupon such offender may be delivered to such nominee, without any contract or security being required or given for the effectual transportation of such offender; and every such nominee shall have the like power of punishing misbehaviour and disorderly conduct in such offender during the voyage, as is hereby given to the surgeon of a ship specially employed for the transportation of offenders, 5 G. 4. c. 84. s. 7.

10. So soon as any such offender shall be delivered to the governor of the colony, or other person to whom the contractor, or such nominee as aforesaid, shall be so directed to deliver him or her, the property in the service of such offender shall be vested in the governor of the colony for the time being, or in such other person; and it shall be lawful for the governor for the time being, and for such other person, whenever he shall think fit to assign any such offender to any other person for the then residue of his or her term of transportation, and for such assignee to assign over such offender, and so as often as may be thought fit; and the property in the service of such offender shall continue in the governor for the time being, or in such other person as aforesaid, or his assigns, during the whole remaining term of life or years for which such offender was sentenced or ordered to be transported: provided, that for the purposes of this act, every person administering the government of a colony, by whatever name or title he may be denominated, shall be deemed to be the governor thereof, 5 G. 4. c. 84. s. 8.

11. Provided, that nothing in this act contained shall in any manner affect H. M.'s royal prerogative of mercy, 5 G. 4. c. 84. s. 9.

12. It shall be lawful for H. M. from time to time, by warrant under his royal sign manual, to appoint places of confinement within Eng. or Wa., either at land, or on board vessels to be provided by H. M. in the

river *Thames*, or some other river, or within the limits of some port or harbour of *Eng.* or *Wa.*, for the confinement of male offenders under sentence or order of transportation, which shall be under the management of a superintendant and overseer to be appointed by H. M.; and it shall be lawful for one of H. M.'s principal secretaries of state to direct the removal of any male offender who shall be under sentence of death, but who shall be reprieved, or whose sentence shall be respited during H. M.'s pleasure, or who shall be under sentence or order of transportation, and who, having been examined by an experienced surgeon or apothecary, shall appear to be free from any putrid or infectious distemper, and fit to be removed from the gaol or prison in which such offender shall be confined, to any of the places of confinement so appointed; and every offender who shall be so removed shall continue in the said place of confinement, or be removed to and confined in some other such place or places as aforesaid, as one of H. M.'s principal secretaries of state shall from time to time direct, until such offender shall be transported according to law, or shall become entitled to his liberty, or until one of H. M.'s principal secretaries of state shall direct the return of such offender to the gaol or prison from which he shall have been removed; and the sheriff or gaoler having the custody of any offender whose removal shall be ordered in manner aforesaid, shall, with all convenient speed, after the receipt of any such order, convey or cause to be conveyed every such offender to the place appointed, and there deliver him to such superintendant or overseer, together with a true copy, attested by such sheriff or gaoler, of the caption and order of the court by which such offender was sentenced or ordered for transportation, containing the sentence or order of transportation of each such offender, by virtue whereof he shall be in the custody of such sheriff or gaoler; and also a certificate, specifying concisely the description of his crime, his age, whether married or unmarried, his trade or profession, and an account of his behaviour in prison before and after his trial, and the gaoler's observations on his temper and disposition, and such information concerning his connexions and former course of life as may have come to the gaoler's knowledge; and such superintendant or overseer shall give a receipt in writing to the sheriff or gaoler, for the discharge of such sheriff or gaoler, 5 G. 4. c. 84. s. 10.

13. It shall be lawful for H. M. to appoint one fit and able person to be superintendant of the said places of confinement; and in case it shall be deemed expedient, it shall be lawful for H. M. also to appoint one fit and able person to be assistant or deputy to such superintendant, at one or more of the said places of confinement, and to be constantly resident at or near the place or places to which he shall be appointed; and also one fit and able person to be overseer of each such place of confinement, who, with a sufficient number of officers and guards, shall constantly reside therein; and such superintendant shall personally visit and inspect such places of confinement four times in every year, or oftener if occasion shall require, and shall distinctly examine into the state of such places of confinement, the behaviour and conduct of the respective assistants or deputies, overseers, officers, and guards, the treatment and condition of the prisoners and the amount of the several earnings, and the expences attending every such place of confinement, and shall, at least twice in every year, make a faithful report of the same to one of H. M.'s principal secretaries of state, who shall cause such report to be laid before both houses of parliament at the beginning of every session; and such superintendant shall distinguish in such report the amount of the earnings and expences at each of such places of confinement, and shall state the average number of prisoners confined therein, and the number of days labour done by such prisoners, distinguishing the work of artificers, and of any other superior labourers, from that of common labourers; and such superintendant shall also, in matters of extreme necessity, make a special report thereof to one of H. M.'s principal secretaries of state, who may, and is hereby authorized to afford such redress or provide such regulations as he shall deem proper; and such superintendant, assistants or deputies, and overseers, shall continue in office during H. M.'s pleasure, and shall receive such salaries as one of H. M.'s principal secretaries of state shall appoint; and such superintendant shall be paid such travelling and other reasonable expences as shall be incurred by him in discharge of his duty, 5 G. 4. c. 84. s. 11.

14. Whenever any offender shall be brought to any such place of confinement as aforesaid, in pursuance of the powers of this act, he shall be washed, cleansed, and purified, and the clothes in which he shall be then clothed shall be burnt, if necessary, or otherwise shall be preserved and taken care of for him by the overseer, and re-delivered to him upon his quitting it, or sold for his benefit, and the produce thereof accounted for to him by the overseer; and when such offender shall be finally discharged, such other decent clothing as shall be judged necessary and proper by the superintendant, shall be delivered to such offender by the overseer, and also such sum of money for his immediate subsistence, as the superintendant shall think proper, so as such sum shall not in any case exceed 5*l.*, 5 G. 4. c. 84. s. 12.

15. It shall be lawful for H. M., by any order or orders in council, to de-

clare his royal will and pleasure, that male offenders convicted in *G. B.*, and being under sentence or order of transportation, shall be kept to labour in any part of H. M.'s dominions out of *Eng.*, to be named in such order or orders in council; and that whenever H. M.'s will and pleasure shall be so declared in council, it shall be lawful for one of H. M.'s principal secretaries of state to direct the removal and confinement of any such male offender, either at land or on board any vessel to be provided by H. M. within the limits of any port or harbour in that part of H. M.'s dominions which shall be named in such order in council, under the management of the said superintendant, and of an overseer to be appointed by H. M. for each such vessel or other place of confinement; and that every offender who shall be so removed shall continue on board the vessel or other place of confinement to be so provided, or any similar vessel or other place of confinement to be from time to time provided by H. M. until H. M. shall otherwise direct, or until the offender shall be entitled to his liberty, 5 G. 4. c. 84. s. 13.

16. The said superintendant shall from time to time make returns, specifying the name of every person in custody in each of such places of confinement, the offence of which he shall have been guilty, the court before which he shall have been convicted, and the sentence of such court, together with his age and bodily state, and his behaviour whilst in custody; and also the names of such offenders as shall have died whilst in such custody, or shall have escaped, or have been lawfully discharged from the same; which returns shall be made on the 1st *Jan.*, *April*, *July*, and *Oct.* in every year, to one of H. M.'s principal secretaries of state, on the oath of the overseer of each place of confinement, such oath to be made before a justice of the peace, 5 G. 4. c. 84. s. 14.

17. After the removal of any offender under this act, the superintendant and overseer who shall have the custody of him, shall, during the term of such custody, have the same powers over him as are incident to the office of a sheriff or gaoler, and shall in like manner be answerable for any escape of such offender; and if any offender shall during such custody be guilty of any misbehaviour or disorderly conduct, the superintendant or overseer shall be authorized to inflict, or cause to be inflicted on him, such moderate punishment or correction as shall be allowed by one of H. M.'s principal secretaries of state; and such superintendant or overseer shall also, during such custody, see every offender fed and clothed according to a scale of diet and clothing to be fixed on, and notified in writing by one of H. M.'s principal secretaries of state to the superintendant; and shall keep such offender to labour at such places, and under such regulations, directions, limitations, and restrictions, as by such secretary of state shall from time to time be prescribed; and in case of the absence of any such superintendant or overseer, or of the vacancy of his office, his duties or powers shall be discharged and exercised in all respects by the officer or person on whom the command of the place of confinement shall devolve, 5 G. 4. c. 84. s. 15.

18. It shall be lawful for such superintendant, and he is hereby authorized, in every such place of confinement as aforesaid, either at land or on board any vessel to be provided as aforesaid, and also in every place wherein any offenders under his superintendence shall be employed to labour, to act in every respect as a justice of the peace, as if he had been named in the commission of the peace, and had been duly qualified to act as a justice of the peace for the county or place in which any such place of confinement shall be, or any such offender shall be employed to labour, 5 G. 4. c. 84. s. 16.

19. And whereas by the laws in force in some parts of H. M.'s dominions not within the U. K., offenders convicted of certain offences are liable to be punished by transportation beyond the seas, and other convicts adjudged to suffer death in such parts of H. M.'s dominions have received or may receive H. M.'s most gracious pardon upon condition of transportation beyond the seas, and there may be no means of transporting such convicts to any of the places appointed by H. M. in council in that behalf, without first bringing them to *Eng.*; be it therefore enacted, That whenever any convict adjudged to transportation by any court or judge in any part of H. M.'s dominions not within the U. K., or any convict adjudged to suffer death by any such court or judge, and pardoned on condition of transportation, have been or shall be brought to *Eng.* in order to be transported, it shall be lawful to imprison any such offender in any place of confinement provided under the authority of this act, until such convict shall be transported, or shall become entitled to his liberty; and that so soon as every such convict shall be so imprisoned, all the provisions, rules, regulations, clauses, authorities, powers, penalties, matters, and things aforesaid, concerning the safe custody, confinement, treatment, and transportation of any offender convicted in *G. B.*, shall extend and be construed to extend to every convict who may have been or may be hereafter adjudged to transportation by any court or judge in any part of H. M.'s dominions not within the U. K., and to every convict adjudged by any such court or judge to suffer death, and pardoned on condition of transportation, and brought to *Eng.* in order to be transported, as fully and effectually as if such

convict had been convicted and sentenced at any session of gaol delivery holden for any county within *Eng.*, 5 G. 4. c. 84. s. 17.

20. It shall be lawful to keep to hard labour every offender under sentence or order of transportation, while he or she shall remain in the common gaol, if his or her health shall permit, and if one or more of the visiting justices of such gaol shall give a written order to that effect; and that it shall be lawful for one of H. M.'s principal secretaries of state, if he shall think fit, to order that any such offender be removed from the common gaol to the house of correction, and there kept to hard labour, 5 G. 4. c. 84. s. 18.

21. The time during which any offender shall continue in any gaol or house of correction, or in any such place of confinement as aforesaid, under sentence or order of transportation or banishment, shall be taken and reckoned in discharge or part discharge of the term of his or her transportation or banishment, 5 G. 4. c. 84. s. 19.

22. The sheriff or gaoler, and every person employed in the conveyance of any offender in order to be transported or banished, or to be imprisoned in any such place of confinement as aforesaid, or in the reconveyance of any offender from any such place of confinement to the gaol or prison from which he was removed, may, in such manner as he shall think fit, carry and secure such offender in and through any county of *G. B.*, towards the sea-port or place from whence he or she is to be transported or banished, or where he or she is to be confined, or to the gaol or prison to which he or she is to be re-conveyed, 5 G. 4. c. 84. s. 20.

23. In *Eng.* and *Wa.* all such fees, on the delivering out of custody of any such offender so ordered to be transported or removed, as have usually been paid to the sheriff or gaoler, and all reasonable expences which the sheriff or gaoler shall incur in every such removal, shall be paid by the county, riding, division, city, borough, liberty, or place for which the court in which the offender was convicted shall have been held; and the sheriff or gaoler shall receive the money due for such expences from the treasurer of such county, riding, division, city, borough, liberty, or place; such fees and expences being first allowed by the order of the justices of the peace at their quarter or other general sessions of the peace, who are hereby required to make such order as shall be just in that behalf; and the clerk of the court shall be paid by such treasurer the same fee as hath been usually paid, and he is lawfully entitled to receive, for every order of transportation; and in *Scot.* all such fees and expences shall be paid in the same manner as has been heretofore practised, 5 G. 4. c. 84. s. 21.

24. If any offender who shall have been or shall be so sentenced or ordered to be transported or banished, or who shall have agreed or shall agree to transport or banish himself or herself on certain conditions, either for life or any number of years, under the provisions of this or any former act, shall be afterwards at large within any part of H. M.'s dominions, without some lawful cause, before the expiration of the term for which such offender shall have been sentenced or ordered to be transported or banished, or shall have so agreed to transport or banish himself or herself, every such offender so being at large, being thereof lawfully convicted, shall suffer death as in cases of felony without the benefit of clergy; and such offender may be tried either in the county or place where he or she shall be apprehended, or in that from whence he or she was ordered to be transported or banished; and if any person shall rescue or attempt to rescue, or assist in rescuing or attempting to rescue, any such offender from the custody of such superintendant or overseer, or of any sheriff or gaoler or other person conveying, removing, transporting, or re-conveying him or her, or shall convey or cause to be conveyed any disguise, instrument for effecting escape, or arms to such offender, every such offence shall be punishable in the same manner as if such offender had been confined in a gaol or prison in the custody of the sheriff or gaoler, for the crime of which such offender shall have been convicted; and whoever shall discover and prosecute to conviction any such offender so being at large within this kingdom, shall be entitled to a reward of 20*l.* for every such offender so convicted, 5 G. 4. c. 84. s. 22.

25. In any indictment against any offender for being found at large contrary to this or any other act now or hereafter to be made, and also in any indictment against any person who shall rescue or attempt to rescue, or assist in rescuing any such offender from such custody, or who shall convey or cause to be conveyed any disguise, instrument for effecting escape, or arms, to any such offender, contrary to this or any other act now or hereafter to be made, whether such offender shall have been tried before any court or judge within or without the U. K., or before any naval or military court-martial, it shall be sufficient to charge and allege the order made for the transportation or banishment of such offender, without charging or alleging any indictment, trial, conviction, judgment, or sentence, or any pardon or intention of mercy, or signification thereof, of or against or in any manner relating to such offender, 5 G. 4. c. 84. s. 23.

26. The clerk of the court or other officer having the custody of the

records of the court where such sentence or order of transportation or banishment shall have been passed or made, shall, at the request of any person on H. M.'s behalf, make out and give a certificate in writing, signed by him, containing the effect and substance only (omitting the formal part) of every indictment and conviction of such offender, and of the sentence or order for his or her transportation or banishment (not taking for the same more than 6*s.* 8*d.*), which certificate shall be sufficient evidence of the conviction and sentence or order for the transportation or banishment of such offender; and every such certificate, if made by the clerk or officer of any court in *G. B.*, shall be received in evidence, upon proof of the signature and official character of the person signing the same; and every such certificate, if made by the clerk or officer of any court out of *G. B.*, shall be received in evidence if verified by the seal of the court, or by the signature of the judge, or one of the judges of the court, without further proof, 5 G. 4. c. 84. s. 24.

27. Nothing in this act contained respecting offenders under sentence or order of banishment, shall apply to persons adjudged to be banished under 60 G. 3. c. 8. [*Stat. Dig. tit. LIBEL, pl. 6.*], intituled, *An Act for the more effectual prevention and punishment of blasphemous and seditious libels*, 5 G. 4. c. 84. s. 5.

28. Whereas it hath sometimes happened, that felons under sentence or order of transportation in *New South Wales* and the islands adjacent, have received from the governor or lieutenant-governor thereof remissions, either absolute or conditional, of the whole or of some part of the term of their transportation, and have by their industry acquired property, in the enjoyment whereof it is expedient to protect them; and the like may happen in future in the same colony, and in other colonies to which felons may be transported under this act; be it therefore enacted, That it shall be lawful for every felon under sentence or order of transportation, who hath received or shall receive any such remission as aforesaid from the governor or lieutenant-governor of *New South Wales*, or from the governor or lieutenant-governor of any other colony, who may be authorized to grant the same, while such felon shall reside in a place where he lawfully may reside under such sentence, order, or remission, and under the provisions of this act, to maintain any action or suit for the recovery of any property, real, personal, or mixed, acquired by such felon since his or her conviction, and for any damage or injury sustained by such felon since his or her conviction, not only in the courts of the colony or place where such felon shall lawfully reside, but also in the courts of this kingdom, and of all other H. M.'s dominions; and if the defendant in any such action or suit shall plead or allege in his defence the plaintiff's or complainant's conviction of felony, and the plaintiff or complainant shall allege and prove that he or she hath received such remission as aforesaid, and is residing in some place consistent therewith and with the provisions of this act, a verdict shall pass and judgment shall be given for the plaintiff or complainant, 5 G. 4. c. 84. s. 26.

29. If any suit or action shall be prosecuted in *Eng.*, *Wa.*, or *Ire.*, against any person for any thing done in pursuance of this act, the defendant may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done by the authority of this act; and if a verdict shall pass for the defendant, or judgment shall in any manner be given against the plaintiff, the defendant shall recover treble costs, and have the like remedy for the same as any defendants have by law in other cases; and notwithstanding a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant, unless the judge before whom the trial shall be had shall certify his approbation of the verdict, 5 G. 4. c. 84. s. 27.

30. All actions, suits, and prosecutions against any person for any thing done in pursuance of this act, shall be commenced within six calendar months after the fact committed, and not otherwise; and if the fact was done within the body of any county, it shall be laid and tried in that county, and no other; and if done out of the body of any county, it shall be laid and tried in the county of *Middlesex*, and not elsewhere, 5 G. 4. c. 84. s. 28.

31. From and after the commencement of this act, so much of 4 G. 1. c. 11. ss. 1, 2, 3. [*Stat. Dig. tit. TRANSPORTATION, pl. 2. 4, 5.*], intituled, *An Act for the further preventing robbery, burglary, and other felonies, and for the more effectual transportation of felons, and unlawful exporters of wool*; and for declaring the law upon some points relating to pirates, as relates to contracts and security for the transportation of offenders, and to the punishment of those who return from transportation; and so much of 6 G. 1. c. 23. ss. 2—7. [*Stat. Dig. tit. id. pl. 7.*], intituled, *An Act for the further preventing robbery, burglary, and other felonies, and for the more effectual transportation of felons*, as relates to the same objects; and 16 G. 2. c. 15. [*Stat. Dig. tit. id. pl. 8—11.*], intituled, *An Act for the more easy and effectual conviction of offenders found at large within the kingdom of G. B., after they have been ordered for transportation*; and 8 G. 3. c. 15. [*Stat. Dig. tit. id. pl. 12, 13.*], intituled, *An Act*

for the more speedy and effectual transportation of offenders; and so much of 28 G. 3. c. 24. ss. 4, 5. [Stat. Dig. tit. id. pl. 17.] intitled, *An Act to continue several laws relating to the granting a bounty on the exportation of certain species of British and Irish linens exported, and taking off the duties on the importation of foreign raw linen yarns made of flax, and to the preventing the committing of frauds by bankrupts, and for continuing and amending several laws relating to the imprisonment and transportation of offenders*, as relates to the transportation of offenders, and their removal to and imprisonment in temporary places of confinement; and so much of 51 G. 3. c. 46. s. 7. [Stat. Dig. tit. PRISON, pl. 194; and the rest of the act is repealed by 4 G. 4. c. 64. s. 1. see GAOLS], intitled, *An Act for the better regulating of gaols and other places of confinement*, as relates to the imprisonment and employment in hard labour of prisoners sentenced to transportation; and 43 G. 3. c. 15. [Stat. Dig. tit. TRANSPORTATION, pl. 21, 22.] intitled, *An Act to facilitate and render more easy the transportation of offenders*; shall be and the same are hereby repealed, 5 G. 4. c. 84. s. 29.

32. For punishing offences committed by transports kept to labour in the colonies; and better regulating the powers of justices of the peace in *New South Wales*, 6 G. 4. c. 69.

33. Whereas by 5 G. 4. c. 84., intitled, *An Act for the transportation of offenders from G. B.*, H. M. is empowered by order in council to declare his royal will and pleasure, that male offenders convicted in G. B., and being under sentence or order of transportation, shall be kept to labour in any part of H. M.'s dominions out of Eng., to be named in such order or orders in council, and that whenever H. M.'s will and pleasure shall be so declared in council, it shall be lawful for one of H. M.'s principal secretaries of state to direct the removal and confinement of any such male offender, either at land, or on board any vessel to be provided by H. M. within the limits of any port or harbour in that part of H. M.'s dominions which shall be named in such order in council: and whereas it is expedient, for preserving uniformity of discipline and punishment among such offenders, that they should continue amenable to the criminal law of Eng.: be it therefore enacted by the King's most excellent Majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, that every offence committed by any male offender kept to labour in any part of H. M.'s dominions out of Eng., under and by virtue of the provision herein-before recited, whether such offence shall be treason, felony, or misdemeanor by the law of Eng., shall be an offence of the same quality, degree, and denomination, and shall be attended with the same punishment and consequences, wheresoever such offence shall be committed by such male offender, while so kept to labour as aforesaid, as if the same were committed within Eng., and shall be tried, heard, and determined in the supreme criminal court of the colony or place within whose jurisdictions respectively the offence shall have been committed, or under any commission issued by virtue of an act passed in the 46th year of the reign of His late Majesty King George the Third, intitled, *An Act for the more speedy trial of offences committed in distant parts upon the sea*, 6 G. 4. c. 69. s. 1.

43. Provided that nothing herein-before contained shall extend to any offenders under sentence of transportation in *New South Wales* or *Van Diemen's Land*, or any islands adjacent thereto, 6 G. 4. c. 69. s. 2.

35. All and every the powers, authorities, and jurisdiction which in and by 4 G. 4. c. 96. s. 19. [ante, tit. NEW HOLLAND, pl. 51.] intitled, *An Act to provide until 1st July 1827, and until the end of the next session of parliament, for the better administration of justice in New South Wales and Van Diemen's Land, and for the more effectual government thereof, and for other purposes relating thereto*, are vested in the courts of general and quarter sessions, for the taking cognizance of and punishing all crimes and misdemeanors not punishable with death, committed by any felons or other offenders who have been or shall be transported to *New South Wales* or its dependencies, and whose sentences have not expired or been remitted, or for taking cognizance of complaints made against any such felons or offenders for drunkenness, disobedience of orders, neglect of work, absconding or desertion, abusive language to their, his, or her employers or overseers, insubordination or other turbulent or disorderly conduct, or for punishing such offences, or any of them, shall be and all such powers, authorities, and jurisdiction are and is hereby vested in any one or more justice or justices of the peace in and for the said colony, or in or for any district or county thereof, to be by such justice or justices exercised in a summary way; provided that no such justice or justices shall exercise any such powers, authorities, or jurisdiction as aforesaid, in any case where any court of general or quarter-sessions shall be appointed to be held within one week after the complaint shall be preferred against any such offender, at any place not more than 20 miles distant from the place at which the offence shall be charged to have been committed, 6 G. 4. c. 49. s. 3.

36. It shall and may be lawful for H. M., by any order or orders to be by him from time to time for that purpose issued, with the advice of

his privy council, to appoint, or by any such order or orders in council to authorize the governors, lieutenant-governors, or other persons, for the time being administering the government of any of H. M.'s foreign possessions, colonies, or plantations, to appoint the place or places within H. M.'s dominions to which any offender, convicted in any such foreign possession, colonies, or plantations, and being under sentence or order of transportation, shall be sent or transported; and all such persons shall, within the place or places to which, in pursuance of any such order or orders in council, they shall or may be so sent or transported, be subject and liable to all such and the same laws, rules, and regulations as are or shall be in force in any such place or places, with respect to convicts transported from G. B., 6 G. 4. c. 69. s. 4.

37. All persons who have heretofore been transported or sent to *New South Wales* or *Van Diemen's Land*, or to any other part of H. M.'s dominions, under or in pursuance of or in execution of any judgment or sentence of any court in any of H. M.'s foreign possessions, colonies, or plantations, shall, in *New South Wales* or *Van Diemen's Land*, or such other part of H. M.'s dominions as aforesaid, be henceforth subject or liable to all such laws, rules, and regulations as are or shall be in force in *New South Wales* or *Van Diemen's Land*, or such other part of H. M.'s dominions as aforesaid, with respect to convicts transported from G. B.; and all officers, justices of the peace, and other persons whatsoever, shall be and they are hereby absolutely indemnified of, from, and against all indictments, informations, suits, actions, and demands whatsoever, which shall or may at any time hereafter be brought or maintained, or which may now be depending against them or any of them, for or in respect of any act, matter, or thing by such officers, justices of the peace, or others done or performed, in enforcing against any such persons, so transported from H. M.'s said colonies or plantations, the laws, rules, and regulations or any of the laws, rules, and regulations in force with respect to convicts transported from G. B.; and it shall and may be lawful to the defendants in any such indictments, informations, suits, or actions, to plead the general issue, and to give this act and the special matter in evidence upon the trial of any such issue; and if a verdict shall be given for any such defendant in any such indictments, informations, suits, or actions, such defendant shall thereupon be entitled to enter up judgment, with double costs of suit, 6 G. 4. c. 69. s. 5.

TURNPIKE ROADS.

1. To amend the general laws now in being for regulating turnpike roads in that part of G. B. called Eng., 3 G. 4. c. 126. [AMD. and REP. as to ss. 5, 6. 8. 10. 19. 32. 34. 42. 50. 52. 56. 67. 68. 77. 96. 102. 104. 122. 129. 135. 145., by 4 G. 4. c. 95., and further AMD. as to s. 61. as to justices for ridings, &c. acting as trustees for turnpike roads, by 5 G. 4. c. 69. post, pl. 63. See 4 G. 4. c. 16. post, pl. 226, 227.]

2. Whereas the laws now in force for the general regulation of turnpike roads in that part of G. B. call Eng., are found to be ineffectual, and require amendment; wherefore, for remedy thereof, be it enacted, That from and after the 1st Jan. 1825, 13 G. 3. c. 84. [Stat. Dig. tit. TURNPIKE ROADS pl. 3, 4. 6—10. 12—17. 19—28. 30, 31. 33—41. 43—92.] intitled, *An Act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of G. B. called Eng., and for other purposes; and also 14 G. 3. c. 14. [Stat. Dig. tit. id. pl. 17, 18.] intitled, An Act to repeal a clause in an act made in the 15th year of His present Majesty's reign, intitled, 'An Act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of G. B. called Eng., and for other purposes,' which regulates the width of the wheels, and the length of carriages liable to be weighed, and for indemnifying persons who have offended against the said clause; and also 14 G. 3. c. 36., intitled, An Act to explain and amend an act made in the 15th year of His present Majesty's reign, intitled, 'An Act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of G. B. called Eng., and for other purposes,' so far as the same relates to the continuing and granting an additional term of five years to acts made for amending turnpike roads; and also 14 G. 3. c. 57. [Stat. Dig. tit. id. pl. 42.] intitled, An Act to repeal so much of an act made in the last session of parliament, for reducing into one act the general laws relating to turnpike roads, as exempts persons from the payment of tolls at side-gates erected at places specified in any act of parliament; and also 14 G. 3. c. 82. [Stat. Dig. tit. id. pl. 5. 11. 22. 35.] intitled, An Act for explaining and altering an act made in the 15th year of His present Majesty, intitled, 'An Act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of G. B. called Eng., and for other purposes,' so far as the same relates to the payment of additional tolls at weighing-engines, and the number of horses to be used in carriages drawn on turnpike roads, and for allowing certain exemptions with respect*

to weight and payment of toll in particular cases; and also 16 G. 3. c. 39. [Stat. Dig. tit. id. pl. 52.] intituled, *An Act for repealing a clause in an act made in the 15th year of the reign of His present Majesty, intituled, 'An Act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of G. B. called Eng., and for other purposes,' which relates to the counter-sinking of the tire of the wheels of all waggons, wains, and other carriages to be used on turnpike roads; and for explaining a provision in the said act, with respect to the fellies and tire of carriages having the fellies of the wheels of the gauge of six inches or upwards; and also 16 G. 3. c. 44. [Stat. Dig. tit. id. pl. 29.] intituled, *An Act for suspending, for a limited time, so much of an act made in the 15th year of His present Majesty's reign, intituled, 'An Act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of G. B. called Eng., and for other purposes,' as is to subject carriages having the fellies of the wheels thereof of less breadth or gauge than six inches to the payment of double tolls, and for vacating contracts for leasing tolls; and also 17 G. 3. c. 16. [Stat. Dig. tit. id. pl. 94—96.] intituled, *An Act for limiting the exemptions from tolls (granted by any act or acts of parliament for repairing turnpike roads), on account of cattle going to and from water or pasture; and also 18 G. 3. c. 28. [Stat. Dig. tit. id. pl. 29.] intituled, *An Act for repealing so much of an act made in the 15th year of His present Majesty's reign, intituled, 'An Act to explain, amend, and reduce into one act of parliament, the general laws now in being for regulating the turnpike roads in that part of G. B. called Eng., and for other purposes,' as is to subject carriages having the fellies of the wheels thereof of less breadth or gauge than six inches to the payment of double tolls, and for vacating contracts for leasing tolls; and also 18 G. 3. c. 63. [Stat. Dig. tit. id. pl. 97—99.] intituled, *An Act for enabling trustees under particular turnpike acts to meet and carry such acts into execution, notwithstanding they may not have met or adjourned agreeable to the directions of such acts, and for preventing disputes touching the payment of tolls for horses or carriages belonging to or employed by officers or soldiers on duty; and also 21 G. 3. c. 20. [Stat. Dig. tit. id. pl. 93.] intituled, *An Act for declaring certain provisions of an act made in the 15th year of His present Majesty, relating to the turnpike roads in that part of G. B. called Eng., to extend to all acts made and to be made for repairing roads subsequent to the passing of the said act; and also 25 G. 3. c. 57. [Stat. Dig. tit. id. pl. 100, 101.] intituled, *An Act to exempt carriages carrying the mail from paying tolls at any turnpike-gate in G. B.; and also 52 G. 3. c. 145. [Stat. Dig. tit. id. pl. 102—104, 106—108, 113.] intituled, *An Act to explain the exemption from toll in several acts of parliament, for carriages employed in husbandry, and for regulating the tolls to be paid on other carriages, and on horses, in certain other cases therein specified; and also 53 G. 3. c. 82. [Stat. Dig. tit. id. pl. 105, 109, 110, 114.] intituled, *An Act to amend an act made in the 52d year of His present Majesty's reign, intituled, 'An Act to explain the exemption from toll in several acts of parliament, for carriages employed in husbandry, and for regulating the tolls to be paid on other carriages and on horses in certain other cases therein specified,' and for other purposes relating thereto; and also 55 G. 3. c. 119. [Stat. Dig. tit. id. pl. 115—118.] intituled, *An Act to enable the trustees of turnpike roads to abate the tolls on carriages, and to allow of their carrying extra weights in certain cases; and also 57 G. 3. c. 37. [Stat. Dig. tit. id. pl. 111, 112.] intituled, *An Act to explain and amend an act of the 53d year of His present Majesty, relating to tolls on carriages used in husbandry, and to remove doubts as to exemption of carriages not wholly laden with manure from payment of toll; shall be repealed, 3 G. 4. c. 126. s. 1.***********

3. Provided that nothing herein shall extend, or be construed to extend, so as to revive or give any force or effect to any act repealed by the recited acts, or any of them, but such acts shall be repealed, as if this act had not been made, 3 G. 4. c. 126. s. 2.

4. Provided, that nothing herein shall extend to prevent the suing for and recovery of any penalty incurred by any offence committed against the provisions of the said herein-before recited acts, previous to the repeal of the said acts by this act, or to prevent or defeat any prosecution commenced or to be brought for such offence, but all penalties incurred may be sued for, and all encroachments, nuisances, and other offences made or committed previous to the repeal of the said acts, against the provisions of the said recited acts, may be abated or prosecuted in the same manner as if this act had not been passed, 3 G. 4. c. 126. s. 3.

5. And whereas it is of great importance that one uniform system should be adhered to in the laws for regulating the management and maintenance of turnpike roads throughout the kingdom; be it therefore enacted, That from 1st Jan. 1825, all the enactments, provisions, matters, and things in this act contained, shall extend, to all acts of parliament now in force, and to all acts which shall hereafter be passed, for making, widening, turning, amending, repairing, or maintaining any turnpike road in Eng., save and except where any other commencement is particularly directed by this act, and as to such enactments, provisions, matters, and things as shall be expressly referred to, and varied, altered,

or repealed by any such act as shall be hereafter passed, 3 G. 4. c. 126. s. 4.

6. That from 1st Jan. 1826, the tire of any wheel of any waggon cart, or other such carriage, which shall be used or drawn on any turnpike road, shall not be so made or constructed as not to deviate more than half an inch from a flat or level surface in wheels exceeding six inches in breadth, or more than one quarter of an inch from a flat or level surface in wheels less than six inches in breadth, or in case the several nails of the tire or tires of every such wheel shall not be so countersunk as not to project above one quarter of an inch above the surface of such tire or tires, then and in every such case the owner of every such waggon, cart, or other such carriage, shall for every such offence forfeit 5*l.*, and every driver thereof 40*s.*, 3 G. 4. c. 126. s. 5. [Recited and REP. 4 G. 4. c. 95. s. 1. See new provision, 4 G. 4. c. 95. s. 2. post, pl. 155.]

7. From 1st Jan. 1826, no waggon or other such carriage shall be allowed to travel or be used on any road, with the fellies of the wheels thereof of a less breadth than three inches; and from and after the day and year last mentioned, if any waggon or other such carriage, having the fellies of the wheels thereof of less breadth than three inches, shall be used or drawn on any turnpike road, the owner of every such waggon or other such carriage so used, shall for such offence forfeit any sum not exceeding 5*l.*, and every driver thereof, not being the owner, any sum not exceeding 40*s.*, 3 G. 4. c. 126. s. 6. [Recited and REP. 4 G. 4. c. 95. s. 3., and see new provision, 4 G. 4. c. 95. ss. 5, 10. post, pl. 156, 161.]

8. From 1st Jan. 1825, the trustees or commissioners appointed by virtue or under the authority of any act or acts of parliament made or to be made for making or maintaining any turnpike road, shall and they are hereby required to demand and take, for every waggon, wain, cart, or other such carriage, having the fellies of the wheels thereof of less breadth than four and a half inches at the bottom or soles thereof, or for the horse or horses, or cattle drawing the same, one half more than the tolls which are or shall be payable for any carriage of the same description, having the wheels thereof of the breadth of six inches; and for every waggon, wain, cart, or other such carriage having the fellies of the wheels thereof of the breadth of four and a half inches, and less than six inches at the bottom or soles thereof, or for the horse or horses, or other cattle drawing the same, one-fourth more than the tolls or duties which are or shall be payable on any carriage of the like description, having the wheels thereof of the breadth of six inches, by any act or acts of parliament now in force, or hereafter to be passed, for making or maintaining any turnpike road, before any such waggon, wain, cart, or other carriage respectively, shall be permitted to pass through any turnpike gate or bar, where tolls shall be payable by virtue of any such acts, 3 G. 4. c. 126. s. 7.

9. Provided, that where any particular act of parliament now in force for the making, repairing, or maintaining any turnpike road shall direct a higher rate of toll to be taken on any waggon, wain, cart, or other such carriage, having the fellies of the wheels thereof of less breadth than six inches, and such higher rate is more than the addition which is herein-before directed to be taken, such higher rate of tolls in and by such act imposed shall continue to be levied and collected on the road to which the said act relates, in the proportions therein fixed, 3 G. 4. c. 126. s. 8. [Recited and REP., 4 G. 4. c. 95. s. 4. See new provision, 4 G. 4. c. 95. ss. 5—10. post, pl. 156—161.]

10. Where any waggon or cart shall have the sole or bottom of the wheels thereof rolling on a flat surface, and the nails of the tire of such wheels countersunk and be cylindrical, that is to say, of the diameter on the inside next the carriage as on the outside, so that when such wheels shall be rolling on a flat or level surface, the whole breadth thereof shall bear equally on such flat or level surface, and shall have the opposite ends of the axletrees of such waggon, cart, or other carriage, so far as the same shall be inserted into the respective naves of the wheels thereof, horizontal, and in the continuance of one straight line, without forming any angle with each other, and in each pair of wheels belonging to such carriage, the lower parts when resting on the ground shall be at the same distance from each other as the upper parts of such wheels, it shall and may be lawful for the trustees or commissioners of any turnpike road at a general meeting, if they shall think fit so to do, to make an order for every such waggon and cart to pass through any toll-gate or bar under the superintendence of the trustees or commissioners making such order, upon paying only so much of the tolls and duties as shall not be less than two-thirds of the full toll or duty payable by any turnpike act, on such waggon, cart, or other carriage, and the horse or horses or cattle drawing the same, 3 G. 4. c. 126. s. 9.

11. Provided, that nothing herein contained relating to the breadth of the wheels of carriages, or to the tolls payable thereon, shall extend or be construed to extend to any chaise marine, coach, landau, berlin, barouche, sociable, chariot, calash, hearse, break, chaise, curricule, gig, chair, or taxed cart, market cart, or other cart for the conveyance of passengers or light goods or articles, 3 G. 4. c. 126. s. 10. [Recited and REP. 4 G. 4. c. 95. s. 18. See new provision, 4 G. 4. c. 95. s. 19. post, pl. 166.]

12. It shall and may be lawful for any trustee or commissioner of any

turnpike road, and for every collector or his deputy, or other person acting by or under the authority of the trustees or commissioners of any turnpike road, or of their lessees of tolls, to measure and examine the breadth and construction of the wheels of every waggon, cart, or other such carriage passing on such turnpike road; such measurement and examination to take place, if the trustee, commissioner, or other authorized persons making the same shall so require, previously to such waggon, cart, or other carriage being allowed to pass through any toll-gate or bar at which toll shall be payable; and if any owner or driver of any such waggon, cart, or other carriage, shall turn or drive out of the road, in order to avoid or evade the measuring of the wheels of such waggon, cart, or other carriage, or if any such owner, driver, or any other person, shall refuse to allow the wheels of any such waggon, cart, or other carriage to be measured, and the construction thereof examined, or shall attempt to pass through any toll-gate or bar before such measurement and examination shall be made (the same having been required), or shall in any way hinder or obstruct any such trustee or commissioner, or other authorized person, in making such measurement and examination, every such owner, driver, or other person so misbehaving, shall for every such offence forfeit any sum not exceeding 5*l.*; and that it shall not be lawful for any such waggon, cart, or other carriage, not permitted to be measured or examined as aforesaid, to pass along any turnpike road; and if any collector or his deputy, or any other person appointed to collect the tolls, shall allow the same to pass before such measurement and examination shall be made (the same having been required), he shall for every offence forfeit any sum not exceeding 5*l.* 3 G. 4. c. 126. s. 11.

15. And for regulating the weights to be allowed to waggons, wains, carts, and other carriages, be it further enacted, That the weights hereafter next specified shall be allowed to every waggon, wain, cart, or other such carriage, (that is to say,) to every waggon, wain, or other four-wheeled carriage, having the fellies of the wheels thereof of the breadth of nine inches at the bottom or soles thereof, together with the loading of such carriage, 6 ton 10 cwt. in summer, and 6 ton in winter; to every cart or other such two-wheeled carriage, having the fellies of the wheels thereof of the like breadth, together with the loading of such carriage, 3 ton 10 cwt. in summer, and 3 ton in winter; to every waggon, wain, or other such four-wheeled carriage, having the fellies of the wheels thereof of the breadth of six inches and less than nine inches at the bottom or soles thereof, together with the loading of such carriage, 4 ton 15 cwt. in summer, and 4 ton 5 cwt. in winter; to every cart or other such two-wheeled carriage, having the fellies of the wheels of the breadth last mentioned at the bottom or soles thereof, together with the loading of such last mentioned carriage, 3 tons in summer, and 2 ton 15 cwt. in winter; to every waggon, wain, or other such four-wheeled carriage, having the fellies of the wheels thereof of the breadth of four inches and a half and less than six inches at the bottom or soles thereof, together with the loading of such carriage, 4 ton 5 cwt. in summer, and 3 ton 15 cwt. in winter; to every cart or other such two-wheeled carriage, having the fellies of the wheels thereof of the breadth last mentioned at the bottom or soles thereof, together with the loading of such carriage, 2 ton 12 cwt. in summer, and 2 ton 7 cwt. in winter; to every waggon, wain, or other such four-wheeled carriage, having the fellies of the wheels thereof of a less breadth than four inches and a half at the bottom or soles thereof, together with the loading of such carriage, 3 ton 15 cwt. in summer, and 3 ton 5 cwt. in winter; to every cart or other such two-wheeled carriage, having the fellies of the wheels thereof of the breadth last mentioned, together with the loading of such carriage, 1 ton 15 cwt. in summer, and 1 ton 10 cwt. in winter; and for the several purposes of this act, it shall be deemed summer from the 1st May to the 31st Oct., both days inclusive, and winter from the 1st Nov. to the 30th April, both days inclusive, 3 G. 4. c. 126. s. 12. [See post, s. 35. pl. 36.]

14. To every caravan, or other four-wheeled carriage used for the conveyance of goods, and built and constructed with springs, shall be allowed the weights following; that is to say, for every such carriage 3 tons and 15 cwt. in winter, and 4 tons 5 cwt. in summer, 3 G. 4. c. 126. s. 13.

15. Provided, that to each dray with two wheels of not less than four inches and a half in breadth, and drawn by not more than three horses, and used in London, or within the bills of mortality, there shall be allowed at all times of the year, together with the loading of such dray, the full weight of 2 tons 16 cwt., 3 G. 4. c. 126. s. 14.

16. It shall be lawful for all trustees and commissioners appointed by or under any act of parliament, for the making or maintaining of any turnpike road, or for any person authorized by them, and they are hereby empowered and required, to receive, take, and demand, over and above the tolls payable by any act of parliament now in force or hereafter to be passed, the following sums of money as additional toll for every hundred weight of 112 lbs. to the hundred, which any waggon, cart, or other such carriage, together with the loading thereof,

shall weigh at any weighing-engine over and above the weights herein-before [in s. 13. pl. 14.] allowed to each of them respectively (that is to say): for the first and second hundred of such overweight, the sum of 3*d.* for each hundred; for every hundred of such overweight above 200 and not exceeding 500, the sum of 6*d.*; for every hundred of such overweight above 500 and not exceeding 1000, the sum of 2*s.* 6*d.*; and for every hundred of such overweight exceeding 1000, the sum of 5*s.*; which said additional sums or tolls hereby granted and made payable at any weighing-engine, shall be levied and recovered in any of the cases aforesaid, in such manner as any other toll or duty payable on the road on which any such weighing-engine shall be erected, is or shall be by law to be levied and recovered, and the monies arising therefrom shall be applied to the repairs of the turnpike road on which the same shall be recovered, 3 G. 4. c. 126. s. 15. [Exemptions from toll not to protect carriages from penalties for overweight, 4 G. 4. c. 95. s. 17. post, pl. 165.; as to reducing such tolls, id. s. 20. post, pl. 167.]

17. Provided, that the regulations of weight herein-before mentioned and provided shall not extend to any waggons, carts, or other carriages carrying only manure or lime for the improvement of land, or any hay, straw, fodder, or corn unthrashed, except hay, straw, fodder, or corn carried for sale; nor to any waggons, carts, or other carriages, carrying only one tree or one log of timber, or one block of stone, or one cable or rope; nor shall the said regulations of weight extend to any chaise marine, coach, berlin, barouche, sociable, chariot, calash, hearse, break, gig, chaise, or taxed cart, 3 G. 4. c. 126. s. 16. [Extended to carriages with one piece of metal, 4 G. 4. c. 95. s. 21. post, pl. 168.]

18. And whereas many persons may at the time of passing this act be farmers or contractors for the tolls arising or payable on turnpike roads, and for tolls and penalties for overweight, and whose contracts will not expire until after the 1st Jan. 1823; for remedy whereof, and for protection of such lessees or contractors, be it further enacted, That in case any lessee, farmer, or contractor for any tolls and penalties for overweight, payable to any trustees or commissioners appointed by virtue of any act of parliament for making, repairing, or amending turnpike roads, whose contract will not expire until after the 1st Jan. 1823, shall by reason of this act be desirous of being discharged from his contract, so far as regards such tolls or penalties for overweight, and of such his desire shall, on or before the 1st Sept. 1822, give notice in writing to the treasurer or clerk of any such trustees, then such farmers, lessees, or contractors shall, from 1st Jan. 1823, be released and discharged from their respective contracts, so far as the same relate to such tolls or penalties for overweight; and every such contracts shall from thenceforth cease and be void as to the residue of the term then to come and unexpired therein, so far as such contracts relate to such tolls or penalties for overweight, 3 G. 4. c. 126. s. 17. Exp.

19. Provided, that in case any such lessee, farmer or contractor, shall give such notice as herein-before [in s. 17. pl. 18.] mentioned, then it shall be lawful for such trustees or commissioners, if they think fit, to make any new contract with such lessee, farmer or contractor, or to make any compensation to him, in respect of such tolls or penalties for overweight, or to cause the said tolls or penalties for overweight to be re-let on a day and at a place to be by them appointed, of which one month's notice at least shall be given, and thereupon to proceed to, and to re-let the same for the best price they may then be enabled to obtain, without being compelled to put up the said tolls or penalties for overweight at the sum at which they were last let, or to have any other meeting for the letting thereof, 3 G. 4. c. 126. s. 18. Exp.

20. It shall not be lawful for the trustees or commissioners of any turnpike road, their lessee or collectors, or other officers, to make any composition for any additional tolls or duties for or in respect of the overweight, or in any other manner as to the weight which any waggon, wain, cart, or carriage shall carry or weigh; but every contract and agreement for such composition for overweight shall be null and void; and every lessee, collector, or other officer entering into or agreeing to any such composition, and every person with whom any such composition or agreement shall be made or entered into, shall for every such composition or agreement, and for every abatement of toll for overweight in consequence thereof respectively, forfeit and pay the sum of 50*l.* to any person suing for the same, 3 G. 4. c. 126. s. 19. [Recited and Rep. 4 G. 4. c. 95. s. 12., see new provision, 4 G. 4. c. 95. s. 13., post, pl. 162.]

21. If any person shall unload, or cause to be unladen, any goods, wares, or merchandize, from any cart, waggon, or other carriage, at or before the same shall come to any turnpike-gate or weighing-engine erected by virtue or in pursuance of this or any other act made for the repair or preservation of any turnpike road, or shall load or lay upon such carriage after the same shall have passed any such turnpike or weighing-engine, any goods, wares, or merchandize, taken or unladen from any horse, cart, or other carriages belonging to or hired or borrowed by the same waggoner or carrier, in order to avoid the payment of the said respective duties payable for overweight; or if any person

shall so unload in order to carry considerable quantities of goods through any turnpike-gate or by any weighing-engine in one and the same day, and thereby pay less toll at such turnpike gate or weighing engine than would have been paid if such goods, wares, or merchandize had not been so unladen; or if any driver of any waggon or cart shall not wait a reasonable time whilst any other carriage shall be weighed, which shall have come to the weighing-engine before the carriage of which he shall be the driver; or if the driver of any waggon or cart shall refuse or delay to remove or drive any such waggon or cart from the weighing-machine, in order by such neglect or refusal to impede or delay the weighing of any other waggon or cart, or shall turn or drive out of any road in order to avoid or evade the weighing of any waggon or cart; each and every person so offending, and being thereof lawfully convicted before one or more justice or justices of the peace for the limit where the offence shall be committed, upon the oath of one credible witness, shall forfeit and pay the sum of 5*l.*, to be levied upon the goods and chattels of the owner of such cart, waggon, or other carriage; and each and every driver, not being the owner of such waggon or carriage, so offending, and being thereof convicted as aforesaid, shall forfeit and pay any sum not exceeding 40*s.*, and in case of non-payment thereof, shall be committed to the house of correction for any time not exceeding two calendar months, 3 *G. 4. c. 126. s. 20.*

22. It shall be lawful for the said trustees or commissioners, at any of their respective meetings, if they think proper, to order and cause to be built and erected, at any of the turnpikes or toll-gates on the roads under their care and management, or at such distance therefrom as they shall think expedient, one or more crane or cranes, machines, or engines, with a suitable house or other building thereto, proper for the weighing of waggons or carriages conveying any goods or merchandize whatsoever, and by a notice on a board for that purpose, to be put up at every such weighing-machine, to order and direct all and every such waggons or carriages which shall come within 100 yards of any crane, machine, or engine, to be weighed, together with the loading thereof, 3 *G. 4. c. 126. s. 21.*

23. The keeper of every toll-gate or bar where any weighing-engine shall be erected, or any other person appointed or to be appointed by the trustees or commissioners, or by their lessee, to the care of such weighing-engine, shall and is hereby required to weigh all such waggons, carts, and other carriages liable to be weighed, which shall pass loaded through such gates or bars respectively, and which he shall believe to carry greater weights than are allowed to pass without paying the said additional toll; and if any collector or person so appointed shall permit any such waggon, cart, or other carriage to pass by or through any such toll-gate with greater weights than are hereby allowed, without weighing the same and receiving such additional tolls as aforesaid, he shall for every such offence forfeit the sum of 5*l.*; and if the owner or driver of any waggon, cart, or other carriage shall refuse to allow the same to be weighed, or shall resist any gate-keeper or toll-collector in weighing the same, every owner or driver so offending shall forfeit and pay any sum not exceeding 5*l.*, 3 *G. 4. c. 126. s. 22.*

24. And in order to detect the said collector or receiver in any fraudulent contrivance or neglect of duty in the matters aforesaid, it is enacted, That it shall be lawful for any trustee or commissioner, or surveyor of every turnpike road, if he shall suspect any such connivance or neglect as aforesaid, to cause any waggon, cart, or other carriage which shall have passed through any toll-gate where any weighing-engine shall be erected, and shall not have passed above 300 yards beyond such toll-gate, to return to such weighing-engine, and be there weighed with the loading which passed through such toll-gate, in the presence of such trustee or commissioner or surveyor, upon requiring the driver thereof to drive such carriage back to such weighing-engine, and upon paying or tendering to him the sum of 1*s.* for so doing, which sum of 1*s.* shall be returned to the person paying the same, if upon weighing such carriage and the loading thereof it shall be found above the weight hereby allowed, 3 *G. 4. c. 126. s. 23.*

25. And for the better enforcing the authority of this act, be it further enacted, That the surveyors of every turnpike road shall, and they are hereby authorized and required to make convenient places for turning such carriages upon every such turnpike road where any weighing-engine shall be erected, within 300 yards of such toll-gate, on each side thereof, if the ground will admit of the same; and if the driver of any such carriage, being so requested to return with his carriage to such weighing-engine, shall neglect or refuse so to do, he shall forfeit any sum not exceeding 5*l.*; and it shall be lawful for any peace-officer or other person being then present, upon such neglect or refusal, to drive and take such carriage back to such weighing-engine, in order to be weighed, 3 *G. 4. c. 126. s. 24.*

26. Provided, that when two or more turnpike roads meet at or near the same place, it shall and may be lawful for the trustees or commissioners of such turnpike roads respectively, at a meeting to be held for that purpose to fix upon some convenient place to erect a weighing-engine upon,

which will accommodate all such turnpike roads, and by agreement amongst themselves at such meeting to proportion the expences which may attend the making, erecting, maintaining, and keeping in repair such weighing-engine, and likewise the money arising from forfeitures to be incurred for overweight at such weighing-machine, amongst all such turnpike roads, in such manner as to them shall appear just and reasonable, 3 *G. 4. c. 126. s. 25.*

27. In every case in which, under any act of parliament relating to any turnpike road, there is an exemption from toll or duty in respect of any horse, mule, ass, ox, waggon, cart, or other carriage, drawing or carrying any dung, mould, marl, or compost, of any nature or kind soever, for improving or manuring the land, or hay, straw, or any other fodder for cattle, or materials for repairing any turnpike road or highway, such exemption shall be deemed to extend in respect of every such waggon, cart, or other carriage, and also in respect to the cattle drawing the same, going empty or loaded only with implements necessary for more convenient carriage, or loading or unloading such landing, or returning empty, or with such implements as aforesaid, having been so laden, notwithstanding the said waggon, cart, or other carriage shall, for the purpose of aforesaid, go to or return from any parish or place in which the said turnpike does not lie, 3 *G. 4. c. 126. s. 26.* [See as to lime, 4 *G. 4. c. 16. post, pl. 226, 227.*]

28. Provided, that for the preventing of frauds on toll-collectors by waggons, carts, or other carriages passing empty, or loaded only with implements necessary for the more convenient carriage of, or for loading or unloading manure, or materials for the repair of any turnpike road or highway, through turnpike gates, under pretence of going for such manure or materials, the owner or driver of every such empty waggon, cart, or carriage, claiming the same exemptions or any of them, shall in all cases pay the toll in respect of such waggon, cart, or other carriage, before the same shall be permitted to pass through such turnpike-gate; and the collector of such toll shall thereupon deliver to such owner or driver a ticket, to be marked "manure exemption" or "road materials" (as the case may be), with the name of the gate and the date when delivered, and the amount of the toll so paid; all which sum or sums so paid shall be repaid to the owner or driver of such waggon, cart, or other carriage, upon his or their returning with such waggon, cart, or other carriage so laden as aforesaid, and producing such ticket; and every collector of such toll refusing to give such ticket on receiving the toll, or refusing or neglecting to return the same toll upon the return of such waggon, cart, or other carriage so laden, and re-delivery of the "manure exemption" or "road materials" ticket, as the case may be, shall for every such offence forfeit and pay to the owner of such waggon, cart, or other carriage, a penalty of not more than 5*l.*, upon conviction thereof before one or more justice or justices of the peace for the county, riding, division, or place where such offence shall be committed, upon the oath of one credible witness, 3 *G. 4. c. 126. s. 27.*

29. The owner or driver of any waggon, cart, or other carriage laden with manure for land, or materials for any turnpike road or highway, passing through any turnpike-gate, or otherwise passing on or across any turnpike road, shall not be liable to pay any toll, nor shall any toll be demanded for such carriage so laden, or the cattle drawing the same, by reason only of any basket or baskets, empty sack or sacks, or spade, shovel, or fork necessary for loading or unloading such manure or materials, being in or upon any such waggon, cart, or other carriage, in addition to such manure or materials, if the loading thereof is substantially manure for land, or materials for the repair of any turnpike road or highway as aforesaid, 3 *G. 4. c. 126. s. 28.*

30. All horses travelling for hire under the post-horse duties acts, [See *ante*, tit. STAMPS] having passed through any turnpike-gate erected or to be erected on any turnpike road, drawing any carriage in respect of which any toll shall have been paid, on returning through the turnpike-gate at which the toll shall have been paid, and the other gates (if any) cleared by such payment, either without such carriage, or drawing such carriage, the same being empty, and without a ticket denoting a fresh hiring, shall be permitted to repass toll-free, although such horses or carriage shall not have passed through such turnpike-gate on the same day; provided that such horses so travelling shall return before nine of the clock of the morning succeeding the day on which they first passed the turnpike-gate at which the toll shall have been paid, 3 *G. 4. c. 126. s. 29.*

31. Where any horse or horses shall pass through any turnpike-gate on any road, not drawing any carriage, and a toll shall be paid on such horse or horses at such turnpike-gate, and the same horse or horses shall return drawing any carriage on the same day, or within eight hours after their first passing through such gate, the toll paid on such horse or horses on their originally passing shall be deducted from the toll payable on the same when drawing the carriage to which they shall be attached on their return, so that no higher toll shall in the whole be taken than if such horse or horses had in the first place passed through such turnpike-gate drawing the said carriage, 3 *G. 4. c. 126. s. 30.*

32. And whereas coaches, chariots, chaises, chairs, carts, and other carriages, sometimes pass through turnpike-gates affixed, tied, or secured to waggons or carts, and horses are sometimes sent under the charge of the drivers of such waggons and carts, and are fastened thereto; and it is expedient to determine what tolls such coaches, chariots, chaises, chairs, carts, and other carriages, and horses, ought to pay on passing through such gates; it is therefore enacted, That where by any act for repairing any turnpike road no toll is directed to be taken for or in respect of any coach, chariot, chaise, or any other carriage whatsoever with four wheels, passing through any turnpike-gate on such road, affixed, tied, or secured to any waggon or cart, the same toll, and no more, shall and may be demanded and taken for and in respect of such coach, chariot, chaise, or other carriage, as if the same had passed through drawn by two horses; and where by any act for repairing any turnpike road no toll is directed to be taken for or in respect of any chair, cart, or other carriage whatsoever, with two wheels only, passing through any turnpike-gate on such road, so affixed, tied, or secured to any waggon or cart as aforesaid, the same toll, and no more, shall be demanded and taken for and in respect of such chair, cart, or other carriage with two wheels only, as if the same had passed through drawn by one horse only; and where any horse shall be fastened to but not used in drawing any waggon, cart, or other carriage, such horse shall not be liable to a higher toll than a single horse; provided that if any coach, chariot, chaise, chair, cart, or other carriage so affixed, tied, or secured to any waggon or cart, shall have any goods conveyed therein other than the harness thereto belonging, and such articles of package as may be necessary for the protection of such carriages, the same shall be liable to double the toll hereby imposed, 3 G. 4. c. 126. s. 31.

33. No toll shall be demanded or taken by virtue of this or any other act of parliament, on any turnpike road, for any horses or carriages attending H. M. or any of the royal family, or returning therefrom [See further 4 G. 4. c. 95. s. 24. post, pl. 170.]; or of or from any person or persons, for any horse or horses or other beast or cattle, or for any waggon, wain, cart, or other carriage employed in carrying or conveying, or going empty to fetch, carry, or convey, or returning empty from carrying or conveying, having been employed only in carrying or conveying, on the same day, any stones, bricks, timber, wood, gravel or other materials for making or repairing any turnpike road or public highway, or for building, rebuilding, or repairing any present or any future bridge or bridges on any such road or public highway [or of or from the surveyor of any turnpike road when engaged in executing or proceeding to execute, within the limits of his own or any adjoining trust, the powers of this or any other act of parliament for repairing, maintaining, or relating to any turnpike road REP. 4 G. 4. c. 95. s. 25.], or for any horse, beast, or other cattle or carriage employed in carrying or conveying, having been employed only in carrying or conveying on the same day, any dung, soil, compost, or manure (save and except lime [See as to lime 4 G. 4. c. 16. post, pl. 226, 227.]) for improving lands, or any ploughs, harrows, or implements of husbandry (unless laden also with some other thing not hereby exempted from toll), or any hay, straw, fodder for cattle, and corn in the straw, which has grown or arisen on land or ground in the occupation of the owner of any such hay, straw, fodder, or corn in the straw, potatoes, or other agricultural produce, and which has not been bought, sold, or disposed of, nor is going to be sold or disposed of, or for any horses or other beasts employed in husbandry going to or returning from plough or harrow, or to or from pasture or watering-place, or going to be or returning from being shod or farried, such horses or other beasts not going or returning on those occasions more than two miles on the turnpike road on which the exemption shall be claimed; or of or from any person or persons going to or returning from his, her, or their proper parochial church or chapel, or of or from any other person going to or returning from his, her, or their usual place of religious worship tolerated by law, on *Sundays*, or on any day on which divine service is by authority ordered to be celebrated; or of or from any inhabitant of any parish, township, or place, going to or returning from attending the funeral of any person who shall die and be buried in the parish, township, or hamlet in which any turnpike road shall lie; or from any rector, vicar, or curate going to or returning from visiting any sick parishioner, or on other his parochial duty within his parish; or for horses, carts, or waggons employed only in carrying or conveying any vagrant sent by a legal pass, or any prisoner sent by any legal warrant, or returning empty after having been so employed; or for any horses or carriages, of whatever description, employed or to be employed in conveying the mails of letters and expresses under the authority of H. M.'s post-master-general, either when employed in conveying, fetching, or guarding such mails or expresses, or in returning back from conveying or guarding the same; or for the horse or horses of any officers or soldiers on their march or on duty, or for any horse or horses or other beast, or any cart, carriage, or waggon employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only

in carrying or conveying the arms or baggage of any such officers or soldiers, or employed in carrying or conveying, or returning empty from having been employed only in carrying or conveying any sick, wounded, or disabled officers or soldiers; or for any waggon, wain, cart, or other carriage whatsoever, or the horse or horses or other cattle drawing the same, employed in conveying any ordnance, or barrack, or commissariat, or other public stores of or belonging to H. M., or for the use of H. M.'s forces, or returning empty from having been so employed; or for any carriage conveying volunteer infantry, or for any horse furnished by or for any person belonging to any corps of yeomanry or volunteer cavalry or infantry, and rode by him in going to or returning from any place appointed for and on the days of exercise, inspection, or review, or on other public duty, provided that such person shall be dressed in the uniform of his corps, and shall have his arms, furniture and accoutrements according to the regulations of such corps at the time of claiming the exemption; or for any horses or carriages carrying or conveying any person or persons to or from any election of a knight of the shire to serve in parliament for the county or counties in which such turnpike road shall be situated; or for any horses or carriages which shall only cross any turnpike road, or shall not pass above 100 yards thereon, 3 G. 4. c. 126. s. 32. [These exemptions not to extend to protect such carriages from penalties for overweight, 4 G. 4. c. 95. s. 17. post, pl. 165.; and see as to exemptions made by local acts, 4 G. 4. c. 95. s. 26. post, pl. 171.]

34. Provided, that so much of this act as directs that no toll shall be demanded or taken from any person or persons going to or returning from his, her, or their proper parochial church or chapel, or of or from any other person or persons going to or returning from his, her, or their usual place of religious worship tolerated by law, on *Sundays*, or on any day on which divine service is ordered by authority to be celebrated, shall not extend so as to exempt any such person or persons from the payment of toll at any turnpike-gate or gates situate within the distance of five miles of the *Royal Exchange* in the city of *London*, or within the distance of five miles of *Westminster-hall* in the city and liberties of *Westminster*, 3 G. 4. c. 126. s. 33.

35. Provided, that nothing herein contained shall extend so as to exempt any waggon, cart, or other carriage laden with dung, soil, compost or manure for manuring land, or any horse or other beast drawing the same, from any toll imposed in respect thereof by virtue of any local act or acts now passed, whereby such toll has been imposed for the maintenance of the roads therein respectively mentioned, 3 G. 4. c. 126. s. 34. [Recited and REP. 4 G. 4. c. 95. s. 22. See new provision, 4 G. 4. c. 95. s. 25. post, pl. 169.]

36. No person owning or driving, or causing to be driven any waggon, wain, cart, or other carriage provided for the service of H. M.'s forces, or conveying any ordnance, or barrack, or commissariat, or other public stores of or belonging to H. M., or for the use of H. M.'s forces, shall be subject to any additional toll, penalty, or forfeiture for overweight; nor shall any such waggon, wain, cart, or other carriage, or the horse or horses drawing the same, while so employed, be stopped or detained by reason of any weight in any such waggon, wain, cart, or other carriage, or of being drawn by any number of horses or oxen; but it shall be lawful for the owner or driver of any such waggon, wain, cart, or other carriage, to put any number of horses or oxen to such waggon, wain, cart, or other carriage; any thing in any act of parliament relating to highways or turnpike roads, or in this act contained to the contrary notwithstanding, 3 G. 4. c. 126. s. 35.

37. Every person who shall, by any fraudulent or collusive means whatsoever, claim or take the benefit of any exemption from toll or from overweight, or for using any additional horse or horses, or of any other exemption whatsoever in this act contained, shall for every such offence forfeit and pay any sum not exceeding 5*l.*; and in all cases the proof of exemption shall be upon the person claiming the same, 3 G. 4. c. 126. s. 36.

38. On or before the 1st Jan. 1825, the trustees and commissioners of every turnpike road shall and they are hereby required to put up or cause to be put up, and afterwards to be continued at every toll-gate within their respective districts, a table, painted in distinct and legible black letters on a board with a white ground, containing at the top thereof the name of the gate at which the same shall be put up, and also a list of all the tolls payable at every such gate, distinguishing the several tolls, and the different sorts of carriages for which they are to be paid, where there shall be any variation therein, and also a list of the several gates which shall be wholly or partially cleared by the payment of toll at the toll-gate or bar where such table of tolls shall be affixed; and the said trustees or commissioners shall also provide tickets denoting the payment of toll, and on such several tickets shall be named and specified the name of the gate at which the same respectively shall be delivered, and also the names of the several gates freed by such payment, one of which tickets shall be delivered *gratis* to the person paying the toll; and on the production of such ticket at any gate or gates

therein mentioned as being cleared as aforesaid by the payment of the toll at the gate where such ticket was delivered, the person producing the same shall pass through the gate or gates therein mentioned, without paying any further or additional toll, 3 G. 4. c. 126. s. 37. [See further, 4 G. 4. c. 95. s. 28., *post*, *pl.* 172.]

39. In all carriages wherein oxen or neat cattle shall be used, two oxen or neat cattle shall be considered as one horse, for all the purposes mentioned in this act, or any particular turnpike act with respect to tolls or other things, 3 G. 4. c. 126. s. 38.

40. If any person subject or liable to the payment of any of the tolls under and by virtue of this or any other act of parliament for making, repairing, or maintaining any turnpike road, shall, after demand thereof made, neglect to pay the same, or any part thereof, it shall be lawful for the persons authorized or appointed to collect such tolls, by themselves, or taking such assistance as they shall think necessary, to seize and distrain any horse, beast, cattle, carriage, or other thing, upon or in respect of which any such toll is imposed, together with their respective bridles, saddles, gears, harness, or accoutrements, (except the bridle or reins of any horse or other beast, separate from the horse or beast), or any carriage in respect of the horses or cattle drawing the carriage on which such toll is imposed, or any of the goods or chattels of the person or persons so neglecting or refusing to pay; and if the toll, or any part thereof, so neglected or refused to be paid, and the reasonable charges of such seizure and distress, shall not be paid within the space of four days next after such seizure and distress made, the person so seizing and distraining may sell the horse, beast, cattle, carriages, or things so seized and distrained, or a sufficient part thereof, returning the overplus of the money to arise by such sale (if any) and what shall remain unsold, upon demand, to the owner thereof, after such tolls, and the reasonable charges occasioned by such seizure, distress, and sale, shall be deducted, 3 G. 4. c. 126. s. 39.

41. If any dispute shall happen or arise about the amount of the tolls due, or the charges of making, keeping, or selling any distress made for non-payment of any tolls, it shall be lawful for the collector, or the person distraining, to retain such distress, or the money arising from the sale thereof (as the case may be), until the amount of the tolls due and the charges of the making, keeping, and selling the distress be ascertained by some justice of the peace for the county, division, or place wherein the turnpike or toll-gate at which the toll in dispute shall be payable shall be situate, who, upon application made to him for that purpose, shall examine the matter on the oath of the parties or other witness or witnesses (which oath such justice is hereby authorized and empowered to administer), and shall determine the amount of the tolls due, and shall award such costs and charges to either party as to the said justice shall appear right and proper; all which costs and charges shall and may be levied and recovered, in case of non-payment thereof forthwith, by distress and sale of the goods and chattels of the person or persons so awarded or directed to pay the same, by warrant under the hand and seal of such justice, rendering the overplus (if any) upon demand, after deducting the costs and charges of making such distress and sale, to the person or persons whose goods and chattels shall have been so distrained and sold, 3 G. 4. c. 126. s. 40.

42. If any person shall with any horse, cattle, beast, or carriage, go off or pass from any turnpike road, through or over any land or ground near or adjoining thereto, (not being a public highway, and such person not being the owner or occupier, or servant or one of the family of the owner or occupier of such land or ground) with intent to evade the payment of the tolls granted by any act of parliament; or if any owner or occupier of any such land or ground shall knowingly or willingly permit or suffer any person, (except as aforesaid,) with any horse, cattle, beast, or carriage whatsoever, to go or pass through or over such land or ground with intent to evade any such tolls; or if any person shall give or receive from any person other than the collectors of the tolls, or forge, counterfeit, or alter any note or ticket directed to be given, with intent to evade the payment of the tolls, or any part thereof; or if any person shall fraudulently or forcibly pass through any such toll-gate with any horse, cattle, beast, or carriage; or shall leave upon the said road any horse, cattle, beast, or carriage whatsoever, by reason whereof the payment of any tolls or duties shall be avoided or lessened; or shall take off, or cause to be taken off, any horse or other beast or cattle from any carriage, either before or after having passed through any toll-gate, or having passed through any toll-gate shall afterwards add or put any horse or other beast to any such carriage, and draw therewith upon any part of any turnpike road, so as to increase the number of horses or other beasts drawing the said carriage after the same shall have passed through any toll-gate, whereby the payment of all or any of the tolls shall or may be evaded; or if any persons shall do any other act whatever in order or with intent to evade the payment of all or any of the tolls, and whereby the same shall be evaded, every such person shall for every such offence forfeit and pay any sum not exceeding 5*l.*, 3 G. 4. c. 126. s. 41.

43. It shall be lawful for the trustees or commissioners of any turnpike roads, from time to time as they shall see convenient, to compound and agree for any term not exceeding three years at any one time, with all or any of the inhabitants of the several parishes, hamlets, or places, to or through which such road may lead or pass, for the passing of their horses, cattle, or carriages through all or any of the toll-gates to be erected on such road, or on the sides thereof; which composition shall be paid yearly in advance, and in default thereof, the composition or agreement with the person or persons making such default shall thenceforth be void; and all such composition money shall be paid and applied in such manner as the tolls are directed to be paid and applied: provided, that no such composition shall extend to the additional tolls for overweight herein-before directed to be taken; but all such additional tolls shall be demanded and recovered notwithstanding any composition for tolls, 3 G. 4. c. 126. s. 42. [Recited and *REP.* 4 G. 4. c. 95. s. 11. See new provision, 4 G. 4. c. 95. s. 15. *post*, *pl.* 162.]

44. It shall be lawful for the trustees or commissioners appointed in and by virtue of any act of parliament for the repairing and amending any turnpike roads, in case no power or effectual power should be given to them under the act by which they are appointed, and they are hereby empowered, at a meeting to be held for that purpose (of which one calendar month's notice shall be given in writing, to be affixed on all turnpike gates which shall be then erected upon such roads, and in some public newspaper circulated in that part of the country), from time to time to lessen and reduce all or any of the tolls granted by any of the said respective acts, for and during such time as the said trustees or commissioners shall think proper; and afterwards, at any meeting to be held as aforesaid, from time to time, as they shall see occasion, to advance all or any of the tolls so lessened to any sum of money not exceeding the several rates granted by such acts of parliament and this act respectively: provided nevertheless, that where the whole money borrowed on the credit of the tolls granted by any such act shall not have been paid and discharged, no such tolls shall be lessened or reduced without the consent of the person entitled to five-sixths of the money remaining due upon such respective tolls, 3 G. 4. c. 126. s. 43.

45. Provided, that in all cases where the trustees or commissioners of any turnpike road shall reduce or advance the tolls on the road or roads for which they shall act, such reduction or advance shall be made as to waggons, carts, and other carriages, the breadth of the wheels whereof is regulated by this act, with reference to the proportion or scale of tolls payable on such waggons, carts, or other carriages, according to the breadth of the wheels thereof; (that is to say,) the trustees or commissioners making the reduction or advance shall reduce or advance the toll payable on waggons, carts, or other such carriages, having the fellies of the wheels thereof of the breadth of six inches, and shall then take and demand double or other proportions (as the case may be) of such reduced or advanced tolls on waggons, carts, or other carriages, having the fellies of the wheels thereof of a greater or less breadth than six inches; and the reduction or advance of the proportion of toll to be payable by this or any other act of parliament, in respect of the breadth of wheels, or any other reduction or advance of tolls, to be made in any other way than in manner aforesaid, shall be null and void, 3 G. 4. c. 126. s. 44.

46. No toll-gate shall hereafter be erected on the side of any turnpike road, unless the same be ordered by the trustees or commissioners at a meeting, of which 14 days public notice shall have been given in writing affixed upon all the toll-gates erected on such road within 10 miles of the place where such intended gate is to be erected, and within the trust for erecting the same, and also in some public newspaper circulated in that part of the country, specifying the place where such toll-gate is proposed to be erected, and unless five trustees or commissioners at least shall sign the said order at such meeting, 3 G. 4. c. 126. s. 45.

47. If the trustees or commissioners appointed to put any act of parliament made for the repair of any turnpike road into execution, shall exceed their power by erecting or continuing any gate or turnpike where they have not any power, by virtue of any act of parliament, to erect such gate or turnpike, it shall be lawful for the justices of the peace for the limit where any such gate or turnpike is or shall be erected or continued, in their general quarter session assembled, upon complaint of such excess of power in such trustees, in a summary way to hear and determine whether such power has been exceeded, and if such power has been exceeded, to order the sheriff of the county, who is hereby authorized and required to execute such order, to remove any such gate or turnpike, 3 G. 4. c. 126. s. 46.

48. Every mortgagee that hath taken or been in possession, or shall hereafter take or be in possession of any toll-gate or bar set up or erected on any turnpike road, or of any lands or tenements, the rents and profits whereof are appropriated to the repairs of any part of any turnpike road, shall, within 21 days after he shall have received notice in writing from the trustees or commissioners of such turnpike road, render an exact account in writing to such trustees or commissioners, or to such person as they shall appoint, of all monies received by him, or by

any other person or persons for his use and benefit, or by his authority, at such toll-gate or bar, or otherwise, and what he has expended in keeping or repairing the same; and in case he shall neglect to render such account when required as aforesaid, he shall forfeit and pay to the said trustees or commissioners, for every refusal, neglect, or omission, the sum of 50*l.*, to be applied to the use of the road on which such toll-gate or bar shall be erected, 3 G. 4. c. 126. s. 47.

49. If any such mortgagee shall keep possession of any toll-gate or bar, by himself or by any other person or persons on his behalf, and receive the tolls or duties thereat, or of any such rents and profits as aforesaid, after such mortgagee shall have received the full sum of money due on his mortgage, and the interest thereof with costs, such mortgagee shall forfeit and pay, as a penalty, to the trustees or commissioners, double the sum of money he shall have received, over and above the sum of money due as aforesaid, with treble costs of suit, to be recovered by the treasurer or clerk to such trustees or commissioners, by action of debt, bill, plaint, or information, in any of H. M.'s courts of record, which when recovered shall be applied to the use of the respective road or roads on which such toll-gate or bar shall be placed, or such rents appropriated, 3 G. 4. c. 126. s. 48.

50. If any mortgagee of any tolls, toll-gates, bars, chains, toll-houses, and buildings, on any turnpike road, shall seek to obtain the possession of the said toll-gates, &c. in order to pay himself the principal money and interest, or any part thereof, due to him, it shall be competent for him, as lessor of the plaintiff, and upon his demise only, and without uniting in such demise the other mortgagees of the said tolls and premises, to obtain such possession; but such person or persons who shall obtain the possession thereof, shall not apply the tolls which may consequently be received by him, to his own exclusive use and benefit, but to and for the use and benefit of all the mortgagees of the said premises, *pari passu*, and in proportion to the several sums which may be due to them as such mortgagees, 3 G. 4. c. 126. s. 49.

51. It shall be lawful for any two or more trustees or commissioners of any turnpike roads, upon the death of any collector appointed to collect the tolls upon such turnpike road, to nominate and appoint some other fit person in his place until the next meeting of the trustees or commissioners of such road, which person so to be nominated and appointed shall have the like power and authority, and be accountable in the same manner in all respects, as the person so dying had or would have been if living; and that if any toll-collector or deputy-collector, who shall be discharged from his office by the trustees or commissioners authorized for that purpose, shall refuse to deliver up the possession of the house, buildings, and appurtenances which he enjoyed in right of his appointment to that office, within two days after notice of his discharge shall be given to him or left at his house; or if the wife or family of any such toll-collector or deputy who shall die as aforesaid, shall refuse to deliver up the possession of such house, building, and appurtenances, within four days after such new appointment shall be made as aforesaid, then and in either of the said cases it shall and may be lawful for any justice of the peace for the county where such turnpike-house shall be, by warrant under his hand and seal, to order a constable or other peace-officer with such assistance as shall be necessary, to enter such house and premises in the day-time, and to remove the persons who shall be found therein, together with their goods, out of such house, and to put the new-appointed officer into the possession thereof, 3 G. 4. c. 126. s. 50. [Recited and REP. 4 G. 4. c. 95. s. 47.; see new provision, 4 G. 4. c. 95. s. 49. post, pl. 188.; see further 4 G. 4. c. 95. ss. 58, 59. post, pl. 196, 197.]

52. No collector, or person renting such tolls, or residing in such toll-house as aforesaid, and no apprentice or servant of any such collector or person, shall thereby gain a settlement in any parish or place whatsoever; and that no tolls to be taken at any gate erected or to be erected by the trustees or commissioners of any turnpike road, nor toll-house erected or to be erected for the purpose of collecting the same, nor any person in respect of such tolls or toll-house, shall be rated or assessed towards the payment of any poor's rates, or any other public or parochial levy whatsoever, 3 G. 4. c. 126. s. 51. [See further 4 G. 4. c. 95. s. 51. post, pl. 174.]

53. If any collector, or other person appointed to collect the tolls on any turnpike road, shall permit or suffer any waggon, wain, cart, or other carriage to be drawn or pass upon any turnpike road within the view or with the knowledge of such collector or toll-gatherer, or to pass through any toll-gate or bar, with wheels of a less breadth or of a different construction, or [drawn with a greater number of horses than by this act allowed], or without such names and descriptions painted thereon as are herein-after directed, and shall not within the space of one week proceed for the recovery of the forfeiture or penalty hereby inflicted, or shall allow any coach, chariot, waggon, cart, or other carriage, or any passenger, to pass through any toll-gate at which such collector or other person shall be stationed, without paying the toll payable, or shall be guilty of any other misconduct in his office, every collector or other person so offending, and being thereof convicted before one justice,

shall forfeit for every such offence any sum not exceeding 5*l.*, as the justice by and before whom such offender shall be convicted shall judge proper, 3 G. 4. c. 126. s. 52. [The words in italics repealed, 4 G. 4. c. 95. s. 27.]

54. Every toll-collector on every turnpike road shall place or cause to be placed on some conspicuous parts of the fronts of the several toll-houses at which they shall be respectively stationed, and so that the same shall appear to public view, their christian surnames, painted in black on a board with a white ground, each of such letters of such name or names to be at least two inches in length, and of a breadth in proportion; and that such board shall be and remain at such toll-house during the whole of the time that the person whose name shall be expressed thereon shall be on duty thereat; and every such collector shall place, or cause to be placed, on the front of the toll-house or toll-houses at which such collectors shall be stationed, the board herein-before [in s. 37. pl. 58., and see 4 G. 4. c. 95. s. 28. post, pl. 172.] directed to be provided by the trustees or commissioners, containing the usual name of the turnpike-gate where the board shall be affixed, and also the list of the tolls payable at such gate, and of the several gates cleared by the payment of toll at the gate where such collector or collectors shall be stationed as aforesaid; and if any collector of the said tolls shall not place such boards respectively as aforesaid, and keep the same there during the time he shall be such collector as aforesaid, or shall demand and take a greater or less toll from any person than he shall be authorized to do by virtue of the powers of any act, or of the orders and resolutions of the trustees or commissioners made in pursuance thereof, or shall demand and take a toll from any person who shall be exempt from the payment thereof, and who shall claim such exemption, or shall refuse to permit or suffer any person to read, or shall in anywise hinder any person from reading the inscriptions on such boards respectively, or shall refuse to tell his christian and surname to any person who shall demand the same, on being paid the said tolls, or any of them, or shall, in answer to such demand, give a false name or names, or shall refuse or omit to give to the person paying the toll a ticket denoting the payment of the tolls, and naming and specifying the toll-gate at which such ticket has been delivered, and the toll-gate or toll-gates (if any) freed by such payment, or upon the legal toll being paid or tendered shall unnecessarily detain, or wilfully obstruct, hinder, or prevent any passenger from passing through any turnpike or toll-gate, or shall make use of any scurrilous or abusive language to any trustee or commissioner, traveller, or passenger, then and in every such case every such toll-collector shall forfeit and pay any sum not exceeding 5*l.* for every such offence, 3 G. 4. c. 126. s. 53. [Recited and REP. 4 G. 4. c. 95. s. 29.; see new provision, 4 G. 4. c. 95. s. 30—50. post, pl. 173.]

55. Provided, that in case any toll-collector, or person acting as such shall offend against any of the provisions of this act, whereby any penalty shall be incurred, and shall abscond or absent himself so as not to be found, then it shall be lawful for any justice of the peace, before whom any such toll-collector or person shall have been convicted of any such offence, in case of such collector or other person absconding after conviction, or in case of his or her absconding previous to conviction, then for any other justice of the peace acting for the county, on an examination of the circumstances, and ascertaining by the examination of witnesses that such offence has been committed by the person absconding, to order and adjudge that the penalty incurred as aforesaid shall be paid by the lessee or farmer of the tolls under whom such collector or other person shall act; all which penalties shall be levied and recovered from such lessee or farmer, and applied in manner herein-after [in s. 141. pl. 143.] directed, 3 G. 4. c. 126. s. 54.

56. It shall be lawful for the trustees or commissioners of every turnpike road, at a public meeting, to let to farm the tolls of the several gates erected upon their respective turnpike roads, in the manner herein-after mentioned, although no express power shall have been given by any act for that purpose; and that whenever any tolls shall hereafter be let to farm by virtue of the powers given by this or any other act of parliament, the following directions shall be observed; (that is to say), the trustees or commissioners shall cause notice to be given of the time and place for letting the same, at least one month before the day to be appointed for that purpose, by affixing the same upon every toll-gate belonging to such turnpike road, and also by insertion thereof in some public newspaper circulated in that part of the country, and specifying in every such notice the sum which the said tolls produced in the preceding year, clear of the salary for collecting the same, in case any hired collector was appointed, and that they will let such tolls by auction to the best bidder, on his producing sufficient securities for payment of the money monthly, or otherwise (as in such notice shall be specified), and that they will be put up at the sum which they were let for or produced in the preceding year, clear of the salary of the collector; and to prevent fraud or any undue preference in the letting thereof, the trustees or commissioners are hereby required to provide a glass with so much sand in it as will run from one end of it to the other in one minute, which

glass at the time of letting such tolls shall be set upon a table, and immediately after every bidding the glass shall be turned, and as soon as the sand is run out it shall be turned again, and so for three times, unless some other bidding intervenes, and if no other person shall bid until the sand shall have run through the glass three times, the last bidder shall be the farmer or renter of the said tolls, and shall forthwith enter into a proper agreement for the taking thereof, and paying the money at the times specified in such notice, with such surety or sureties for payment thereof, and under such conditions and in such manner as the said trustees or commissioners shall think fit; and if the person being the last bidder shall not forthwith enter into such agreement, it shall be lawful to put up the said tolls again immediately for another bidder, and in like manner to continue putting up the same until a bidder shall be found who shall enter into such agreement; and in case no bidder shall offer, or in case the same shall not be let at such auction, it shall be lawful for the said trustees or commissioners to accept a private tender for the same, and to demise or let to farm, or agree to demise or let to farm, all or any of such tolls, at any sum not less than the sum at or for which they shall then have been last let [see ante, ss. 17, 18. pl. 18, 19.]; or the said trustees or commissioners may appoint a collector of such tolls, or fix some future day for the letting thereof, as they shall judge most proper, upon giving such notice thereof as aforesaid, and shall in that case put them up at such sum as they think fit; and if the person who shall be the farmer, or renter, or collector of such tolls shall take a greater or less toll from any person than what is authorized or directed by this or the particular turnpike act, he shall for every such offence forfeit the sum of 5*l.*, and the said agreement for renting the tolls shall, if the said trustees or commissioners shall think fit to vacate the same, become and be null and void: provided, that at all such lettings the trustees or commissioners shall be entitled to bid for the tolls so to be let, either by themselves or their clerk or treasurer, or any other person by them respectively authorized; provided, that no such tolls shall be demised or leased for any longer term than three years at any one time, 3 G. 4. c. 126. s. 55. [See 4 G. 4. c. 95. s. 52. pl. 190.]

57. Provided, that on every letting of any tolls, the said trustees or commissioners shall, if they shall think fit, take of the renter or farmer thereof one, two, or more months' rent in advance before they shall put such renter or farmer in possession of the toll-gate, bar, toll-house, or turnpike, at which such tolls are to be collected, and that in every agreement to be entered into by any trustees or commissioners for the letting of any tolls, the rent or money payable for such tolls shall be reserved and made payable monthly, or otherwise, as in the notice for letting the said tolls shall be specified; and the renter or farmer of such tolls shall produce two sufficient sureties to join in the said agreement, undertaking on their parts for the due and punctual payment of the rent or sum of money to be paid for the said tolls, according to the terms of the agreement entered into by him; and in every case where the terms of such agreement shall not be fulfilled, but the rent or sum of money to be paid at the commencement of any one month shall not be paid when the same shall become due, but shall remain unpaid for three days after the same shall become due, then and in every such case the trustees or commissioners making any such agreement shall, and they are hereby empowered, if they think fit, to declare the said agreement void, and to re-enter and take possession of any such toll-gate, bar, or toll-house, and the tolls there collected, and to re-let the same in manner hereinbefore [s. 55. pl. 56.] directed, or to appoint a collector or other fit and proper person to collect and receive the same, and to put out and remove the person so failing in their agreement, 3 G. 4. c. 126. s. 56. [Recited and REP. 4 G. 4. c. 95. s. 51; see new provision, 4 G. 4. c. 95. ss. 52—54. post, pl. 190.]

58. Provided, that all contracts and agreements to be made or entered into for the farming or letting the tolls of any turnpike roads, signed by the trustees or commissioners letting such tolls, or any two or more of them, or by their clerk or treasurer, and the lessee or farmer, and his sureties, of such tolls respectively, shall be good, valid, and effectual, notwithstanding the same may not be by deed or under seal; any act or acts of parliament or law to the contrary thereof notwithstanding, 3 G. 4. c. 126. s. 57.

59. During such time as the tolls, or any part thereof, shall be leased to any person whomsoever, it shall be lawful for the lessee or farmer thereof, or such other person as he shall by writing or writings under his hand, authorize or appoint, to demand and take such tolls so leased, demised, or farmed, and to use all such means and methods for the recovery thereof, in case of non-payment or evasion, as any collector of such tolls appointed under or by virtue of any act of parliament for the making of turnpike roads, or by this act, is authorized and empowered to use; and such lessee or farmer, or other person as aforesaid, so demanding and taking such tolls, shall be subject to the like pains, penalties, and forfeitures, and shall be liable to the like actions and prosecutions, as any collector of such tolls appointed by the trustees or commissioners is subject or liable to, 3 G. 4. c. 126. s. 58.

60. In case any dispute, suit, or litigation shall arise, touching or in any wise relating to the tolls granted by any act of parliament, the person appointed to collect the same, or any other acting under the authority of the trustees or commissioners, shall not be incompetent to give evidence in any such dispute, &c. on account of his being appointed to collect such tolls, 3 G. 4. c. 126. s. 59.

61. The right, interest, and property of and in all the toll-gates and toll-houses, weighing-machines, and other erections and buildings, lamps, bars, toll-boards, direction-boards, milestones, posts, rails, fences, and other things which shall have been or shall be erected and provided in pursuance of any act of parliament for making turnpike roads, with the several conveniences and appurtenances thereunto respectively belonging, and the materials of which the same shall consist, and all materials, tools, and implements which shall be provided for repairing the said roads, and the scrapings of the said roads, shall be vested in the trustees or commissioners acting in pursuance of such act for the time being, and they are hereby authorized and empowered to apply and dispose of the same as they shall think fit, and to bring or cause to be brought any action or actions, and to prefer and prosecute, or order and direct the preferring and prosecuting of any informations or indictments, against any person or persons who shall dig up, break or pull down, steal, take or carry away, spoil, destroy, injure or damage, any of the toll-gates or toll-houses, weighing-machines, or other erections or buildings, lamps, bars, toll-boards, direction-boards, mile-stones, posts, rails, fences, and other things, or any of the conveniences and appurtenances thereto belonging, or any of the tools, implements, or materials aforesaid, or shall interrupt them the said trustees or commissioners, or any of their officers, in the possession thereof; in all which proceedings it shall be sufficient to state generally such articles to be the property of the clerk for the time being to the said trustees or commissioners, 3 G. 4. c. 126. s. 60.

62. All H. M.'s justices of the peace for the time being acting for the county or counties through which any turnpike road now does or hereafter shall pass, shall be added to and joined with the trustees or commissioners for making, repairing, or maintaining every such turnpike road, and shall, on qualifying themselves as hereafter mentioned, have all the same powers and authorities, as if the said justices had severally been named or elected trustees or commissioners in or under any act or acts of parliament under which such roads shall be made, repaired, or maintained, 3 G. 4. c. 126. s. 61.

63. Whereas 3 G. 4. c. 126. was passed, intituled, *An Act to amend the general laws now in being for regulating turnpike roads in that part of G. B. called Eng.*; and whereas one other act, 4 G. 4. c. 95. was passed, intituled, *An Act to explain and amend an act passed in the third year of the reign of His present Majesty, to amend the general laws now in being for regulating turnpike roads in that part of G. B. called Eng.*; and by the said first recited act it was, [s. 61.] amongst other things enacted, That all H. M.'s justices of the peace for the time being, acting for the county or counties through which any turnpike road now does or hereafter shall pass, shall be added to and joined with the trustees or commissioners for making, repairing, or maintaining every such turnpike road, and shall have all the same powers and authorities to all intents and purposes as if the said justices had severally been named or elected trustees or commissioners in or under any act or acts of parliament under which such roads shall be made, repaired, or maintained; and whereas it is expedient that H. M.'s justices of the peace acting for any riding, division, or soke, should also be enabled to act as trustees for the repair of turnpike roads; be it enacted, That from and after the passing of this act [17th June 1824], all H. M.'s justices of the peace for the time being, acting for the county or counties, riding or ridings, division or divisions, soke or sokes, through any part which any turnpike road now does or hereafter shall pass, shall have such and the like powers and authorities for the making and repairing any such turnpike road, and be subject to the same rules and regulations, by virtue of or under the said recited acts, as any of H. M.'s justices of the peace acting for any county or counties, 5 G. 4. c. 69.

64. No person [see as to swearing trustees, 4 G. 4. c. 95. s. 52. post, pl. 175. and see as to qualification, 4 G. 4. c. 95. ss. 55, 56. pl. 178, 179.] who shall hereafter be chosen or appointed a trustee or commissioner, shall be qualified or capable of becoming and acting as a trustee or commissioner in the execution of any act of parliament for making, repairing, or maintaining any turnpike road, unless he shall be in his own right, or in the right of his wife, in the actual possession or receipt of the rents and profits of freehold or copyhold lands, tenements, or hereditaments, of the clear yearly value of 100*l.* above reprises, or shall be heir apparent of a person possessed of freehold or copyhold lands, tenements, or hereditaments of the clear yearly value of 200*l.* above reprises; and unless he shall, before he shall act as such trustee or commissioner, take and subscribe the oath or affirmation following, before any two or more of the trustees or commissioners appointed or to be appointed by or in pursuance of such act, who are hereby authorized and empowered to

administer the same, in the words or to the effect following; (that is to say,)

'I — do swear, [or, being of the people called Quakers, do solemnly affirm,] That I truly and *bona fide* am, in my own right [or, in the right of my wife], in the actual possession and enjoyment of [or, in the receipt of rents and profits issuing out of] freehold or copyhold lands, tenements, or hereditaments, of the clear yearly value of 100*l.* above reprises, [or, am heir apparent of —, who to the best of my knowledge is seised of freehold or copyhold lands, tenements, or hereditaments, of the clear yearly value of 200*l.* above reprises,] [or, that I am possessed of a personal estate of 10,000*l.*, clear of all debts and incumbrances, as the case may be.] So help me God.'

'[or, being a Quaker, omit the words 'So help me God.']

3 G. 4. c. 126. s. 62.

65. Provided, that nothing herein contained shall hinder or prevent any person from acting as a trustee or commissioner of any turnpike roads, any part of which are or shall be situate within 10 miles of the *Royal Exchange* in *London*, who shall be possessed of personal property to the amount or value of 10,000*l.*, after payment of his debts, 3 G. 4. c. 126. s. 63.

66. Provided, that no person appointed or to be appointed a trustee or commissioner in or by virtue of any act for repairing turnpike roads, shall be capable of acting as such in the execution of any such act, in any case where he shall be personally interested (except as herein-after provided), nor during the time he shall keep a victualling-house, or other house of public entertainment, or who shall sell wine, cider, beer, ale, spirituous or other strong liquors by retail, or who shall be a lessee or farmer of the tolls on any turnpike road, or of any part thereof; and if any person not being qualified as aforesaid, or being disqualified by any of the causes aforesaid, or not having taken and subscribed the oath herein-before [s. 62. *pl.* 64.] mentioned, or being a Quaker, not having made and subscribed the affirmation herein-before [s. 62. *pl.* 64.] mentioned, shall nevertheless presume to act as a trustee or commissioner in the execution of any such act, every such person shall for such offence forfeit and pay the sum of 50*l.* to any person who shall sue for the same, to be recovered, with full costs of suit, in any of H. M.'s courts of record at *Westminster*, by action of debt or on the case, or by bill, plaint, suit, or information, wherein no *essoign*, &c., and only one *imparlance* shall be allowed; and the person so sued or prosecuted shall prove that he is qualified, and not disqualified as aforesaid, or otherwise shall pay the said penalty, without any other proof or evidence on the part of the prosecutor than that such person had acted as a trustee or commissioner in the execution of any act for repairing turnpike roads: provided nevertheless, that no act or proceeding touching the execution of any such act, which shall be done or performed by any such unqualified or disqualified person previously to his being convicted of the offence before mentioned, shall be thereby impeached or rendered nugatory, but all such proceedings shall be as valid and effectual as if such person had been duly qualified: provided, that no mortgagee or assignee of any mortgage or other security, or any lender of money upon the credit of the tolls, or receiving interest thereout for the same, shall on that account only be deemed unqualified to act as a trustee or commissioner in the execution of any such act; and any trustees or commissioners appointed or to be appointed under any such act, who are or shall be in the commission of the peace, may act as such justices of the peace, in the execution of any such act, notwithstanding their being such trustees or commissioners, except in such cases only wherein they shall be personally interested otherwise than as a trustee, commissioner, mortgagee, assignee, lender of money, or holder of any security on the credit of the tolls granted by any such act, 3 G. 4. c. 126. s. 64.

67. No trustee or commissioner of any turnpike road shall, from and after this act shall be in force, enjoy any office or place of profit under any act of parliament in execution of which he shall have been appointed, or shall act as trustee or commissioner, or have any share or interest in, or be in any manner directly or indirectly concerned in, any contract or bargain for making or repairing or in any way relating to the road for which he shall act, or for building or repairing any toll-house, toll-gate, or weighing-engine thereon, or for supplying any materials for the use thereof; nor shall any such trustee or commissioner let out for hire any waggon, wain, cart, or other carriage, or any horse, cattle, or team, for the use of any turnpike road for which he shall act as a trustee or commissioner; nor by himself, or by any other person for or on his account, directly or indirectly, receive any sum of money to his use or benefit out of the tolls collected on the road for which he shall act, during the time he shall be acting as a trustee or commissioner of such road; and if any person after having been appointed or elected a trustee or commissioner of any turnpike road, shall, without having first duly resigned such office at some meeting of the trustees of the road for which he shall have been elected or appointed, hold any such office or place, or be concerned in any such contract or bargain, or shall sell any such tools or implements, or let

out for hire any waggon, wain, cart, or carriage, horse, cattle, or team, or receive any money out of the tolls as aforesaid, every trustee or commissioner so offending, shall for every such offence forfeit and pay the sum of 100*l.* to any person who shall sue for the same, and shall from and after the conviction of any such offence be incapable of acting as a trustee or commissioner of any turnpike road; and all acts, orders, matters, and things made or done as a trustee or commissioner by the party so convicted, shall from thenceforth be null and void to all intents and purposes, and all and every such contract and bargain shall be and the same is hereby declared to be void, and shall not be enforced against or carried into effect by the other trustees or commissioners entering into the same: provided, that all acts, orders, matters, and things, made or done by such trustee or commissioner previously to his being convicted of any such offence, shall be good and effectual; and further provided, that nothing in this enactment contained shall extend to any trustee or commissioner who shall receive any sum of money paid out of the tolls of any turnpike road, as or by way of purchase-money, damages, rent, recompence, or satisfaction agreed upon or awarded to such trustee or commissioner, for any lands, grounds, tenements, or hereditaments, purchased or taken for the purpose of diverting or altering, or for the use of the turnpike road for which he shall act as a trustee or commissioner, or for a repository for materials to be used thereon, or for the damage done to any inclosed or private grounds of any such trustee or commissioner, in taking materials therefrom, or in carrying or conveying them over the same, or to prevent any such trustee or commissioner from selling or disposing of, for the use of the turnpike road, any materials, or any timber grown or growing on the land or grounds of such trustee or commissioner, 3 G. 4. c. 126. s. 65. [See this section amended as to holders of shares in canals or railways, 4 G. 4. c. 95. s. 37. *pl.* 180. and also s. 41. *pl.* 182.]

68. When and as often as any of the trustees or commissioners, save and except the justices of the peace, appointed or to be elected and appointed under any act of parliament for making, repairing, or maintaining any turnpike road, shall die, or by bankruptcy, insolvency, or otherwise, become disqualified to act, or by writing under their hands refuse to act in the execution of such act, it shall be lawful for the surviving or remaining trustees or commissioners from time to time to elect and appoint one other fit person, qualified as aforesaid [ss. 62. 64. *pl.* 64, 66.] to be a trustee or commissioner in the room of every trustee or commissioner dying or becoming disqualified or refusing to act as aforesaid; provided that notice of the time and place of meeting of the trustees or commissioners for every such election be given by the clerk or clerks to such trustees or commissioners, by affixing the same in writing upon all the toll-gates or turnpikes erected upon the said road for which they shall act as trustees or commissioners, and by inserting such notice in one or more of the newspapers circulating in that part of the country where such road shall pass, 14 days at least before every such meeting; and every person who shall be elected and appointed a trustee or commissioner pursuant to the directions of this act, shall and may act with the surviving and remaining trustees or commissioners in the execution of such act, to all intents and purposes, as if he had been therein named and appointed a trustee or commissioner, 3 G. 4. c. 126. s. 66.

69. The said trustees or commissioners shall from time to time meet at such time and place, on or near their respective roads, as to them shall seem convenient, and may adjourn themselves, to meet at any place, and at such times as the said trustees or commissioners, or the major part of them present at any meeting shall appoint; and at all their several meetings the trustees or commissioners shall pay and defray their own expences, except any sum not exceeding 10*s.* *per diem* for the use of the room wherein they shall meet; and all orders and determinations of the trustees or commissioners in the execution of any such act shall be made at meetings to be held in pursuance thereof, and not otherwise, (except in the cases hereby otherwise particularly provided for) and that no order or determination shall be made unless the major part of the trustees or commissioners present shall concur therein; and that all acts, orders, and proceedings relating to any such act, which are directed to be had, made, done, or exercised by or before the said trustees or commissioners, and all the powers and authorities hereby in them vested generally, shall be had, made, done, and exercised by the major part of the trustees or commissioners who shall be present at the respective meetings to be held by virtue of any such act, the whole number present not being less than three (except in such cases where any other number is by any local act or this act named for any particular or special purpose); and that all acts, orders, or proceedings, had, made, or done by or before such three trustees or commissioners, shall have the same force and effect, and be binding and conclusive on all persons and to all intents and purposes whatsoever, as fully and effectually as if the same were had, made, done, or executed by or before all the said trustees or commissioners; and that a chairman shall and may in the first place be appointed at every meeting to be held by virtue and for the purposes of this act, who, in case of an equal number of votes (including the

chairman's vote), shall have the casting or decisive vote; and that no order or determination at any meeting of the said trustees or commissioners once made, agreed upon, or entered into, shall be revoked or altered at any subsequent meeting, unless notice of the intention to make such revocation or alteration shall have been given at a previous meeting holden for the same road, and entered in the book of proceedings of such meeting, and also by affixing such notice, signed by any two or more trustees or commissioners, on all the turnpike-gates then erected upon such road, 21 days at least before such meeting, nor unless such revocation or alteration shall be agreed to be made by seven trustees or commissioners at the least, 3 G. 4. c. 126. s. 67. [Recited and REP. 4 G. 4. c. 95. s. 58.; see new provision, 4 G. 4. c. 95. s. 39. post, pl. 181.]

70. If at any time it shall be thought necessary, for the better execution of any act of parliament for making, repairing, or maintaining any turnpike road, that the trustees or commissioners of such road should meet before the time to which any meeting may be adjourned, it shall be lawful for any two or more of such trustees or commissioners (or for the clerk to the said trustees or commissioners, by an order in writing signed by any two or more of them), to give notice of such earlier meeting in the manner before directed, in which notice shall be expressed the time, place, and purpose of such earlier meeting (such time not being less than 14 days after publication of the said notice); and all the orders and determinations of the trustees or commissioners at all such meetings shall be as valid as if the same had been done at any other meeting of trustees or commissioners held by virtue of this act, or the act under and by virtue of which they shall act as trustees or commissioners: provided, that no other business than what shall be specified in such notice shall be transacted at any such meeting, 3 G. 4. c. 126. s. 68. [Recited and REP. 4 G. 4. c. 95. s. 40.; see new provision, 4 G. 4. c. 95. s. 41. post, pl. 182.]

71. All trustees and commissioners of every turnpike road shall hold a general meeting of the trust for which they shall respectively act, on a day to be by them or any three or more of them appointed, in the months of April, Sept., or Oct., of which meeting 21 days' notice shall be given by inserting the same in some newspaper usually circulating in the counties in which the road or roads, in respect whereof such meeting shall be held, lie or are situated, which said meeting shall be called or known as "the general annual meeting of the trustees or commissioners;" and at such meeting the trustees or commissioners assembled shall elect a chairman for the purposes thereof, and shall also audit their accounts, and report the state of the road or roads under their care and superintendence, 3 G. 4. c. 126. s. 69. [See this section AMD. 4 G. 4. c. 95. s. 42. post, pl. 183.]

72. Where a sufficient number of the trustees or commissioners of any turnpike road shall not meet on the day appointed by any such act or acts respectively, for their first meeting, or shall not meet on the day appointed by adjournment for their meeting, or for want of a proper adjournment, by which means, or by some or one of them, the intent of the said act or acts may be frustrated, in all or either of the said cases it shall be lawful for so many of the said trustees or commissioners as shall meet, or the major part of them, or in case no such trustee or commissioner shall be present, for their clerk or clerks, to cause notice in writing to be affixed on all the turnpike-gates which shall be then erected on the said respective roads, or if no turnpike-gate shall then be erected, to cause the like notice to be affixed in the most conspicuous place in one of the principal towns or places nearest to which the roads directed to be repaired do lie, and also in some public newspaper circulated in the county in which the road shall be situate, at least 10 days before the intended meeting, appointing such trustees or commissioners to meet at such place where the preceding meeting was appointed to have been held, or at the place directed for the first meeting of such trustees or commissioners, if no such preceding meeting shall have been held; and the said trustees or commissioners, when met in pursuance of such notice, shall and they are hereby required to proceed and carry such act or acts into execution, in the same and in as ample a manner, as they might or could have done if no such neglect had happened, 3 G. 4. c. 126. s. 70. [See tit. STATUTES, 4 G. 4. c. 35.]

73. It shall not hereafter be lawful for any trustees or commissioners to continue or appoint the person who has been or may be appointed to act as their clerk in the execution of any act or acts of parliament for repairing and maintaining any turnpike road, or the partner of any such clerk, to be or to hold the offices of clerk and treasurer for the purposes of such act or acts, or to continue or appoint the person who has been or may be appointed treasurer, or the partner of any such treasurer, to be the treasurer and clerk for the purposes of such act or acts; and if any person shall act in both the capacities of clerk and treasurer, or if any person being the partner of any such clerk shall act as treasurer, or being the partner of such treasurer shall act as clerk in the execution of this or any other act, every person shall, for every such offence, forfeit and pay the sum of 50*l.* to any person who shall sue for the same, to be recovered, with full costs of suit, in any of H. M.'s courts of record at

Westminster, by action of debt or on the case, or by bill, suit, or information, wherein no essoin, &c. and only one imparlance, shall be allowed, 3 G. 4. c. 126. s. 71. [See as to the appointment of officers and their salaries, duties, &c. 4 G. 4. c. 95. ss. 43, 44, 45. 47. post, pl. 184—187.]

74. That all orders and proceedings of the trustees or commissioners of every turnpike road, together with the names of the trustees or commissioners present at every meeting, shall be entered in a book or books to be kept by the clerk of the said trustees or commissioners for that purpose, and be signed by the chairman of the meeting or meetings at which such orders or proceedings shall be from time to time made or had; and that such book or books shall be open at all seasonable times to the inspection of any of the trustees or commissioners, without fee or reward; and such orders and proceedings, so entered and signed by the chairman of such meeting or meetings as aforesaid, shall be deemed and taken to be original orders and proceedings; which said book or books, as well as the book or books in which the oath or affirmation directed to be taken by the said trustees or commissioners shall be entered, and also the book or books directed to be kept for registering mortgages and assignments, and all entries in such books respectively, shall and may be read in evidence in all courts whatsoever, in all cases of appeal, and in all prosecutions, suits, and actions whatsoever, 3 G. 4. c. 126. s. 72.

75. The trustees and commissioners of every turnpike road shall, and they are hereby required, from time to time and at all times, to order and direct a book or books to be provided and kept by their clerk for the time being; in which book or books such clerk shall enter, or cause to be entered, true and regular accounts of all sums of money received, paid, laid out, and expended for or on account of the road for which such clerk shall act, and of the several articles, matters, and things for which such sums of money shall have been disbursed, laid out, and paid; and such book or books shall at all seasonable times be open to the inspection of the said trustees or commissioners, or any creditor or creditors on the tolls collected and taken on the road to which such books relate, without fee or reward; and the said trustees or commissioners and creditors, or any of them, shall or may take copies of or extracts from the said book or books, or any part or parts thereof, without paying any thing for the same; and the said book or books shall be produced by the said clerk at all meetings of the said trustees or commissioners; and in case any clerk shall refuse to permit, or shall not permit any of the said trustees or commissioners, or any such creditor, to inspect any such book or books, or to take such copies or extracts as aforesaid, or in case such clerk shall refuse or neglect to produce such book or books at any meeting of the said trustees or commissioners, such clerk shall forfeit and pay any sum of money not exceeding 5*l.*, to be levied and applied in the same manner as other penalties are hereby directed to be levied and applied, 3 G. 4. c. 126. s. 73.

76. The trustees and commissioners of every turnpike-road may sue and be sued in the name or names of any one of such trustees or commissioners, or of their clerk or clerks for the time being; and that no action or suit to be brought or commenced by or against any trustees or commissioners of any turnpike road by virtue of this or any other act of parliament, in the name or names of any one of such trustees or commissioners, or their clerk or clerks, shall abate or be discontinued by the death or removal of such trustee, commissioner, clerk or clerks, or any of them, or by the act of such trustee, commissioner, clerk or clerks, or any of them, without the consent of the said trustees or commissioners; but that any one of such trustees or commissioners, or the clerk or clerks for the time being to the said trustees or commissioners, shall always be deemed to be the plaintiff or plaintiffs, defendant or defendants (as the case may be), in every such action or suit: provided, that every such trustee, commissioner, clerk or clerks, shall be reimbursed and paid, out of the monies belonging to the turnpike-road for which he or they shall act, all such costs, charges, and expences as he or they shall be put unto, or become chargeable with or liable to, by reason of his or their being so made plaintiff or plaintiffs, defendant or defendants, 3 G. 4. c. 126. s. 74.

77. No person shall be capable of holding any place of profit under any trustees or commissioners of any turnpike road, who shall sell any wine, ale, spirituous liquors, or provisions by retail, 3 G. 4. c. 126. s. 75.

78. Provided, that the trustees and commissioners of every turnpike road shall and they are hereby required to take sufficient security from every treasurer to be appointed by them for the purposes of any act or acts of parliament for making, repairing, or maintaining any turnpike road, for the due and faithful execution of his office, before such treasurer shall enter upon his office; and if they shall so think proper, shall and may also take such security from any other officer to be appointed under or by virtue of this or such other act, 3 G. 4. c. 126. s. 76.

79. All such officers as shall be appointed by any commissioners or trustees of any turnpike road, shall, as often as required by the commissioners or trustees, render and give to them, or to such person as they shall for that purpose appoint, a true, exact, and perfect account in writing, under their respective hands, with the proper vouchers, of all

monies which they shall respectively to the time of rendering such accounts, have received, paid, and disbursed by virtue of this or any other act, or for or on account or by reason of their respective offices; and in case any money so received by any such officer shall remain in his hands, the same shall be paid to the trustees or commissioners, or to such person as they shall, in writing under their hands, authorize and empower to receive the same; and if any such officer shall refuse or wilfully neglect to render and give such account, or to produce and deliver up such vouchers, or shall for the space of 14 days after being thereunto required by the said trustees or commissioners, or any three of them, refuse or neglect to render and give up to them, or to such person as they shall direct or appoint, all books, papers, writings, tools, matters, and things, in his hands, custody, or power, relating to the road for which he shall act, or which he shall have disposed of without the consent and approbation of the trustees or commissioners, then it shall be lawful for any justice of the peace for the county where the officer so making default shall be or reside, upon application made to him for that purpose, by or on behalf of the trustees or commissioners, to make inquiry of and concerning any such default as aforesaid, in a summary way, as well by the confession of the party as by the testimony of any credible witness upon oath, without fee or reward, and by warrant under his hand and seal to cause such money as shall appear to him to be due and unpaid, to be levied by distress and sale of the goods and chattels of such officer, rendering to him the overplus (if any) on demand, after payment of the money remaining due, and deducting the charges and expences of making such distress and sale; and if sufficient distress cannot be found, or if it shall appear to any such justice in manner aforesaid, that any such officer shall have refused, or wilfully neglected to give such account, or to deliver up all books, papers, &c. in his custody or power, relating to the execution of his office, such justice shall commit him to the house of correction or common gaol of the county where such offender shall be or reside, there to remain without bail or mainprize until he shall make and give a true and perfect account, and verify the same in manner aforesaid, and shall produce and deliver up the vouchers relating thereto, and shall have paid the money (if any) remaining in his hands as aforesaid, according to the direction of the trustees or commissioners, or shall have compounded with the said trustees or commissioners for such money, and paid such composition according to their direction, which composition all trustees and commissioners are hereby empowered to make and receive, or until he shall deliver up such books, papers, &c. as aforesaid, or have given satisfaction to the trustees or commissioners concerning the same; but no such officer who shall be committed on account of his not having sufficient goods and chattels as aforesaid, shall be detained in prison by virtue of this act for any longer time than six calendar months, 3 G. 4. c. 126. s. 77. [Recited and REP. 4 G. 4. c. 95. s. 46.; see new provision, 4 G. 4. c. 95. s. 47. pl. 187.]

80. The trustees or commissioners of every turnpike road shall and they are hereby required, at their general annual meeting in each year, to examine, audit, and settle the accounts of the respective treasurers, clerks, and surveyors appointed by them, and to require such treasurers, &c. to produce their books, accounts, papers, and vouchers, and to examine into the revenues and debts, distinguishing bond from simple contract debts, of the several roads for which they shall act as treasurer, clerk, or surveyor; and when the accounts of the said several treasurers, clerks, and surveyors, shall be settled and allowed by the trustees or commissioners present at such meeting, the same shall be signed by the chairman of such meeting; and if any treasurer, &c. shall refuse or neglect to produce his accounts, or any book, paper, or voucher required to be produced by him, such treasurer, &c. shall be dealt with according to the provisions herein-before [s. 77. pl. 79.] contained with regard to officers refusing to account or deliver up books or papers, or pay over money in their hands; and when and as soon as the said accounts of the said respective treasurers, &c. shall be audited, allowed, and signed, the clerk to the trustees or commissioners holding such meeting shall forthwith make out a statement of the debts, revenues, and expenditure received or incurred on account of the trust for which the meeting shall be held, in the form contained in the schedule to this act annexed [No. 24.]; which said statement shall be submitted to the trustees or commissioners assembled at such meeting, and when approved by the majority of them shall be signed by the chairman of the said meeting; and the said statement, being so approved and signed, the said clerk shall, within 30 days thereafter, transmit the same to the clerk of the peace of the county in which the road or the major part thereof, to which the said statement relates, shall lie; and if any clerk shall refuse or neglect to make out such statement as aforesaid, or to transmit the same within the time herein-before mentioned, he shall for such offence forfeit and pay the sum of 50*l.*, to be recovered as herein-after directed, 3 G. 4. c. 126. s. 78.

81. The clerk of the peace of every county to whom such statements

shall be transmitted, shall, on receiving same, cause them to be produced to the justices assembled at the quarter sessions to be held next after the receipt thereof, and also to be registered and kept amongst the records of the quarter sessions of the county for which such clerk of the peace shall act; and the said statements so to be transmitted to the said respective clerks of the peace, shall, when registered, be open to the inspection of every person whatsoever, who may take extracts therefrom or copies thereof, paying to the clerk of the peace in whose custody the same shall be, the sum of 5*s.* for each inspection, and the sum of 6*d.* for every 72 words of each extract or copy taken, 3 G. 4. c. 126. s. 79.

82. The said trustees or commissioners shall, immediately after such accounts and statements have been examined, audited, and signed, cause a sufficient number of copies of such statements to be printed, and direct their clerk to transmit a copy thereof to each acting trustee or commissioner, having duly qualified himself to act as such trustee or commissioner of such road, 3 G. 4. c. 126. s. 80.

83. It shall be lawful for the trustees or commissioners of any turnpike road, to borrow and take up at interest, on the credit of the tolls arising on such road, such sums of money as they shall from time to time respectively think proper, and to demise and mortgage the tolls on such road or any part or parts thereof, and the turnpikes and toll-houses, for collecting the same, (the costs and charges of which mortgages shall be paid out of the tolls) as a security to any person or persons or their trustees, who shall advance such sums of money; which mortgages shall be in the words or to the effect following; (that is to say),

‘By virtue of an act passed in the — year of the reign of — intituled, [*here set forth the title of this act,*] we, whose hands and seals are hereunto subscribed and set, being — of the trustees [*or, commissioners*] for putting into execution an act passed in the — year of the reign of —, intituled, [*here set forth the title of the act under which the trustees or commissioners borrowing the money and granting the mortgage shall act,*] in consideration of the sum of — sterling advanced and paid by A. B. of — to the treasurer of the said trustees [*or commissioners*], do hereby grant and assign unto the said A. B. and his executors, administrators, and assigns, such proportion of the tolls arising and to arise on the said turnpike road, and the toll-gates and toll-houses erected or to be erected for collecting the same, as the said sum of — doth or shall bear to the whole sum now or hereafter to become due and owing on the security thereof: to have, hold, receive and take the said proportion of the said tolls, toll-gates, toll-houses, and premises, with the appurtenances, unto the said A. B. and his executors, administrators, and assigns, for and during the residue of the term for which the said tolls are granted by the said last-mentioned act, unless the said sum of — with interest after the rate of — *per cent. per ann.* shall be sooner repaid and satisfied. Given under our hands this — day of —.

And copies of all such mortgages shall be entered in a book or books to be kept for that purpose by the clerk or treasurer to the said trustees or commissioners, for which entry such clerk shall be paid the sum of 5*s.* and no more, out of the tolls payable on such road, and which said book or books shall and may at all seasonable times be perused and inspected without fee or reward; and it shall be lawful for all persons respectively to whom any mortgage shall be made as aforesaid, or who shall be from time to time entitled to the money thereby secured, to assign or transfer their right, title, and interest in and to such mortgage, and the principal money and interest thereby secured, to any other person or persons whomsoever; which assignment or transfer may be made in the following words, or words to the like effect, to be indorsed on such mortgage security, or to be underwritten or thereunto annexed, and signed in the presence of and attested by one or more credible witness or witnesses; (that is to say),

‘I A. B. [*or, I, C. D. assignee, executor, or administrator of A. B., as the case may happen*], do hereby assign and transfer this mortgage security, with all my right and title to the principal money thereby secured, and all interest now due and hereafter to grow due upon the same, unto E. F., his or her executors, administrators, and assigns. Dated this — day of — 18 —.

Witness G. H.

(Signed)

A. B. or C. D.

Which transfer shall be produced and notified to the clerk or treasurer of the said trustees or commissioners, within two calendar months next after the day of the date thereof, who shall enter the same in the said book or books, for which entry the said clerk or treasurer shall be paid the sum of 5*s.* and no more; and such transfer shall then entitle such assignee, his executors, administrators, and assigns, to the full benefit of such mortgage security; and every such assignee may, in like manner, assign or transfer the same, and so *toties quoties*; and it shall not be in the power of any person (except the person to whom the same shall be last transferred, his respective executors or administrators), to release, discharge, or make void the original mortgage security or the monies due thereon, or any part thereof; and all persons to whom any such mortgage or transfer shall be made as aforesaid, shall, in

proportion to the sums of money thereby secured, be creditors on the tolls by such act granted, and on the said toll-gates and toll-houses, in equal degree one with another, or in such order as shall be agreed upon and stipulated by the said trustees or commissioners at the time of the advance of their respective shares, 3 G. 4. c. 126. s. 81. [*Trustees not personally liable on mortgages, 4 G. 4. c. 95. s. 61. post, pl. 199.; and as to paying off creditors, s. 60. pl. 198.*]

84. If any person shall agree to advance any sum of money to be employed in the making or repairing of any turnpike road, or highway intended to be made turnpike, and shall subscribe his name to any writing for that purpose, he shall be liable to pay every such sum of money so subscribed, according to the purport of such writing; and in default of payment thereof within 21 days after the same shall become payable, and shall be demanded by the person to whom the same is made payable by such writing, or if no person be named therein for that purpose, by the treasurer of such turnpike or intended turnpike road, it shall be lawful for every such treasurer or other person to sue for and recover the same in any of H. M.'s courts of record, by action of debt or on the case, or by bill, suit, or information, wherein no essoin, &c. and only one imparlance, shall be allowed, 3 G. 4. c. 126. s. 82.

85. It shall be lawful for the trustees or commissioners of every turnpike road, and they are hereby fully authorized and empowered, from time to time, to make, divert, shorten, vary, alter, and improve the course or path of any of the several and respective roads under their care and management, or of any part or parts thereof, and to divert, shorten, &c. the course or path of any of the said several and respective roads, through or over any commons or waste grounds, or uncultivated lands, without making satisfaction for the same, and also through or over any private lands, tenements, or hereditaments, tendering and making satisfaction to the owners thereof, and persons interested therein, for the damage they shall sustain thereby; and it shall be lawful for the said trustees or commissioners, and for their surveyor or surveyors and workmen, with or without carriages or cattle, from time to time, to enter upon any such commons or waste grounds, or uncultivated lands, private lands, tenements, or hereditaments as aforesaid, through or over which the said road, or the widenings and alterations thereof, pass, or are intended to pass, and to stake out and make the same in such manner as the said trustees or commissioners shall think necessary or proper, without being thereby subject to be deemed a trespasser or trespassers, or to any fine, penalty, or forfeiture for entering or continuing upon any part of such lands, &c. respectively, for any of the purposes aforesaid, 3 G. 4. c. 126. s. 83.

86. It shall be lawful for the trustees or commissioners of any turnpike road to treat, contract, and agree with the owners of and persons interested in any lands, tenements, hereditaments, and premises, with their appurtenances, which they shall deem necessary to purchase for the purpose of widening, diverting, altering, and improving such road, for the purchase thereof, and for the loss or damage such owners or persons may otherwise sustain; and it shall be lawful for all bodies politic, corporate, or collegiate, corporations aggregate or sole, tenants for life or in tail, husbands, guardians, trustees, feoffees in trust, committees, executors, administrators, and all other persons whomsoever, not only for or on behalf of themselves, their heirs and successors, but also for and on behalf of the person or persons entitled in reversion, remainder, or expectancy after them, and for and on behalf of their cestuique trusts, whether femmes covert, infants or issue unborn, lunatics, idiots, or other person or persons whomsoever, and to and for all femmes covert who are or shall be seised of or interested in their own right, and to and for all and every person and persons whomsoever, who are or shall be possessed of or interested in any such lands, &c. or premises, or who shall sustain any damage as aforesaid, to contract with the said trustees or commissioners for the sale thereof, or for the satisfaction to be made for the same, or for such damages as aforesaid; and by conveyance, lease and release, or bargain and sale, to sell and convey unto the said trustees or commissioners all or any such lands, &c., or premises, or any part thereof, for the purposes aforesaid; and all contracts, sales, and conveyances which shall be so made shall be good, valid, and effectual, without fine or recovery, and shall be a complete bar to all estates tail and other estates, rights, titles, trusts, and interests whatsoever, any law, statute, usage, custom, or other matter to the contrary notwithstanding; and all such bodies politic, corporate, &c., and all other persons, shall be and are hereby indemnified for what they or any of them shall do by virtue of or in pursuance of this act, 3 G. 4. c. 126. s. 84. [*See as to land for deposit of materials, 4 G. 4. c. 95. s. 56. post, pl. 194.; and as to the sale of houses, ss. 57. 63. post, pl. 195, 201.*]

87. If any such bodies politic, corporate, or collegiate, corporations aggregate or sole, tenants for life or in tail, husbands, guardians, trustees, feoffees, committees, executors, administrators, or any other person or persons interested in any such lands, tenements, hereditaments, or premises, or sustaining any damage as aforesaid, upon notice to him, her, or them given or left in writing at the dwelling-house or dwelling-

houses, place or places of abode of such person or persons, or of the principal officer or officers of any such bodies politic, corporate, or collegiate, corporations aggregate or sole, tenants for life or in tail, or at the house of the tenant in possession of any such lands, &c. or premises, shall for the space of 30 days next after such notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the premises, or by reason of absence shall be prevented from treating, then the said trustees or commissioners shall cause such damage, value, or recompence to be inquired into and ascertained by a jury of 12 indifferent men of the county, riding, or place wherein such lands, &c. or premises do lie; and in order thereto, the said trustees or commissioners are hereby empowered and required from time to time, as occasion shall require, to summon and call before such jury, and examine upon oath, all and every person and persons whomsoever who shall be thought necessary and proper to be examined concerning the premises (which oath the said trustees or commissioners, or any or either of them, are and is hereby empowered to administer); and such trustees or commissioners shall, by ordering a view or otherwise, use all lawful ways and means, as well for their own as for the said jury's information in the premises; and after the said jury shall have inquired of and assessed such damage and recompence, they the said trustees or commissioners shall thereupon order the sum of money so assessed by the said jury to be paid to the said owners or other persons interested, according to the verdict or inquisition of such jury; and such verdict or inquisition, and judgment, order, and determination thereon, shall be final, binding, and conclusive to all intents and purposes against all parties and persons whomsoever claiming or to claim any estate in possession, reversion, or otherwise, their heirs and successors, as well absent as present, infants, femmes covert, idiots, lunatics, and persons under any other disability whatsoever, bodies politic, corporate or collegiate, corporations aggregate or sole, tenants for life or in tail, as well as all and every person and persons whomsoever; and for summoning and returning such juries, the said trustees or commissioners are hereby empowered to issue their warrant or warrants in writing to the sheriff of the county wherein such lands, &c. or premises do lie, commanding him to impanel, summon, and return an indifferent jury of 24 persons, qualified to serve upon juries, to appear before such trustees or commissioners at such time and place as in such warrant or warrants shall be appointed; and such sheriff or his deputy is hereby required to impanel, summon, and return such number of persons accordingly; and out of the persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such summons, the said trustees or commissioners shall and are hereby empowered and required to swear or cause to be sworn 12 men, who shall be a jury for the purposes aforesaid; and in default of a sufficient number of jurymen, the said sheriff or his deputy shall return other honest and indifferent men of the standers-by, or that can be speedily procured to attend that service, to the number of 12; and all persons concerned shall have their lawful challenges against the said jurymen when they come to be sworn, but shall not challenge the array; and the said trustees or commissioners acting in the premises shall have power, from time to time, to impose any reasonable fine or fines upon such sheriff, his deputy, bailiff, or agent, making default in the premises, and on any of the persons that shall be summoned and returned on such jury, and who, without sufficient excuse, shall not appear, or appearing shall refuse to be sworn on the said jury, or being sworn shall refuse to give or shall not give their verdict, or in any other manner wilfully neglect their duty therein, contrary to the meaning of this act, and on any of the persons who, being required to give evidence before the said jury, shall, without sufficient excuse, refuse or neglect to appear, or appearing shall refuse to be sworn and examined or to give evidence, so that no one fine be more than 10*l.* on any such sheriff, deputy, bailiff, or agent, nor more than 5*l.* on any other person, for one offence, 3 G. 4. c. 126. s. 85.

88. Every sum of money or recompence to be agreed for or assessed as aforesaid, shall be paid out of any monies in the hands of the said trustees or commissioners, or out of the tolls granted by the act for making and repairing such turnpike road, or out of the monies to be borrowed on the credit thereof, to the parties or persons respectively entitled thereto, or to their agents, or into the bank of Eng., in manner by this act directed (as the case may be); and upon such payment to such parties or persons, or their agents, or into the bank of Eng., and after 30 days' notice thereof given to such parties or persons, or to their agents, or left at their respective usual places of abode, or with the tenant in possession of such lands, tenements, hereditaments, and premises, then such lands, &c. and premises respectively shall be vested in such trustees or commissioners, and shall and may be taken and used for the purposes of such act; and such lands, and the site of such lands, &c. and premises, shall be laid into and made part of the road, in such manner as the said trustees or commissioners shall direct, and shall be repaired and kept in repair by such trustees or commissioners, by the same ways and means as any other part of the road under their

management is or ought to be kept in repair; and all parties and persons whomsoever shall be divested of all right and title to such lands, &c.; and after such new road shall be completed, the lands or grounds constituting any former roads or road, or so much and such parts thereof as in the judgment of the said trustees or commissioners may thereby become useless or unnecessary, or shall or may be stopped up and discontinued as public highways (unless leading over some moor, heath, common, uncultivated land or waste ground, or to some church, mill, village, town or place, lands or tenements, to which such new road or roads doth not or do not immediately lead, and which may therefore be deemed proper to be kept open either as a public or private way or ways, for the use of any inhabitant at large, or any individual or individuals), and shall be vested in, and shall and may be sold and conveyed by the said trustees or commissioners, in the manner herein mentioned, for the best price that can be gotten for the same, and the money arising by such sale shall be applied for the purposes of the act for repairing and maintaining such turnpike road; and all conveyances, being executed by the said trustees or commissioners, and enrolled in the office of the clerk of the peace for the county, city, or place wherein such road shall be situate, shall be good and effectual in the law to all intents and purposes whatsoever; or it shall be lawful for the said trustees or commissioners, instead of making such sale as aforesaid, to give up to the owners or proprietors of any adjoining lands, &c. whose building, land, or ground shall be had or taken for the purposes of this act, any part of the present or old roads in lieu of and in exchange for the same, in such way and manner as such trustees or commissioners, and owners or proprietors, shall agree upon and think fit, 3 G. 4. c. 126. s. 86. [See as to expenses of sale and form of conveyance, 4 G. 4. c. 95. s. 55. post, pl. 193.]

89. In case any jury or juries to be summoned and sworn pursuant to the directions and authority of this act, shall give in and deliver a verdict or assessment for more money as a recompence or satisfaction for the right, interest, or property of any person in any such lands, tenements, hereditaments, or premises, or for any loss or damage to be by him sustained, than what shall have been agreed to and offered by such trustees or commissioners before the summoning or returning the said jury or juries, as a recompence or satisfaction for any such right, interest, or property, or for any loss or damage as aforesaid, then and in such case the costs and expences of summoning and maintaining the said jury and witnesses, and all other expences attending the hearing and determining such difference, shall be borne and paid by the treasurer to the trustees or commissioners, out of any money which shall then be in his hands, or out of any monies to be received by virtue of the act for repairing and maintaining such turnpike road, such costs and expences to be settled and ascertained by some justice of the peace for the county or place wherein the dispute shall have arisen, not interested in the matter in question, who is hereby authorized and empowered to settle and determine the same, and to make an order on the treasurer of the trustees or commissioners liable thereto for the payment thereof; but if any such jury or juries so summoned and sworn as aforesaid shall give in and deliver a verdict or assessment for no more or for less money than shall have been agreed to and offered by the trustees or commissioners before the summoning and returning of the said jury or juries, as a recompence and satisfaction for any such right, interest, or property in any such lands, &c. or premises, or losses or damages as aforesaid, then the costs and expences of summoning and maintaining the said jury and witnesses, and all other expences as aforesaid, shall be borne and paid by the person with whom such trustees or commissioners shall have such controversy or dispute; which said costs and expences having been ascertained and settled by some justice of the peace for the county, riding, or place wherein the cause of dispute shall arise, not interested in the matter in question (who is hereby required to examine and settle the same), shall and may be deducted out of the money so assessed and adjudged, as so much money advanced to and for the use of such person, and the payment or tender of the remainder of such monies shall be deemed and taken, to all intents and purposes, to be a payment or tender of the whole sum so assessed and adjudged, or otherwise such costs and expences, in case the same or any part thereof shall exceed such damages, and shall not be paid upon demand, after being so ascertained and settled as aforesaid, may be recovered by the said trustees or commissioners by the ways and means herein-after provided for the recovery of penalties and forfeitures: provided, that in all cases where any person shall, by reason of absence, have been prevented from treating, such costs and expences shall be borne and paid by the said trustees or commissioners in manner aforesaid, 3 G. 4. c. 126. s. 87.

90. When any turnpike road shall be diverted or turned, and the new road shall be made and completed, such new road shall be in lieu of the old road, and shall be subject to all the provisions and regulations in any act of parliament contained, or otherwise, to which the old road was subject, and shall be deemed and taken to be a common highway,

and shall be repaired and maintained as such; and the old road shall be stopped up, and the land and soil thereof shall be sold by the trustees or commissioners to some person whose lands adjoin thereto, as herein-after mentioned with regard to pieces of ground not wanted; but if such old road shall lead to any lands, house, or place, which cannot, in the opinion of the said trustees or commissioners, be conveniently accommodated with a passage from such new road, which they are hereby authorized to order and lay out if they find it necessary, then and in such case the old road shall be sold, but subject to the right of way and passage to such lands, house, or place respectively, according to the ancient usage in that respect; and the money arising from such sale in either of the said cases shall be applied towards the purchase of the land where such new road shall be made, or in the same manner as the tolls arising on such road, as the trustees or commissioners thereof shall think fit; and upon the completion of any contract whereby any part of the old road shall be given in payment for the value of the ground taken for the new road, or upon payment of the price of any part of the old road, the soil of such old road shall become vested in the purchaser thereof and his heirs; but all mines, minerals, and fossils lying under the same shall continue the property of the person who would from time to time have been entitled to the same if such old road had continued, 3 G. 4. c. 126. s. 88. [See note to s. 86. ante, pl. 88. See as to fencing, draining, &c. turned or altered, &c. roads, 4 G. 4. c. 95. ss. 66, 67.; and as to liability of those persons to repair new road, who were liable to repair old road, id. s. 68. post, pl. 203—205.]

91. Where the trustees or commissioners of any turnpike road shall have purchased, or shall be possessed of any piece or pieces of ground not wanted for the purposes of such road, it shall be lawful for such trustees or commissioners to sell and dispose of the same: provided, that the said trustees or commissioners, before they shall sell and dispose of any such piece or pieces of ground not wanted as aforesaid, to any other person shall first offer the same to the person of whom the same shall have been purchased, or to the person whose lands shall adjoin thereto; and if such person respectively shall then and thereupon refuse, or shall not agree (except with respect to or on account of the price thereof) to purchase the same respectively, on an affidavit being made and sworn before a master or master extraordinary in the high court of chancery, or before one of H. M.'s justices of the peace for the county, liberty, or place where such ground is situate (who are hereby respectively empowered to take such affidavit), by some person or persons no way interested in the said piece or pieces of ground, stating that such offer was made by or on the behalf of such trustees or commissioners, and that such offer was then and thereupon refused, or was not agreed to by the person to whom the same was made, such affidavit shall in all courts whatsoever be sufficient evidence and proof that such offer was made, and was refused, or not agreed to by the person to whom such offer was made (as the case may be); and in case such person shall be desirous of purchasing such piece or pieces of ground, and he and the said trustees or commissioners shall differ or not agree with respect to the price thereof, then the price thereof shall be ascertained by a jury, in manner in this act directed with respect to disputed value of premises to be taken and used in pursuance of this act, and the expence of hearing and determining such difference shall be borne and paid in manner herein-before directed with respect to such purchases made by the said trustees, *mutatis mutandis*; and the money to arise by the sale or sales of such pieces or parcels of ground shall be applied by the trustees or commissioners to the purposes of the act for repairing and maintaining such turnpike road, but the purchaser thereof shall not be answerable or accountable for any misapplication or non-application of such money; and the conveyances of such piece or pieces of ground shall be made to the purchaser or respective purchasers thereof, and in such manner and form as is herein-before directed with respect to the conveyances to be made of the land constituting any part of the roads herein-before directed to be sold, 3 G. 4. c. 126. s. 89.

92. If any money shall be agreed or awarded to be paid for any lands, tenements, or hereditaments, purchased, taken, or used by virtue of the powers of this act, by any trustees or commissioners of any turnpike road, which shall belong to any corporation, feme covert, infant, lunatic, tenant for life or in fee tail general or special, or person or persons under any disability or incapacity, such money shall, in case the same shall amount to or exceed the sum of 200*l.*, with all convenient speed be paid into the bank of *Eng.*, in the name and with the privity of the accountant-general of the high court of chancery, to be placed to his account *ex parte* the trustees or commissioners of the road for which such lands, tenements, or hereditaments shall be taken, to the intent that such money shall be applied, under the direction and with the approbation of the said court, to be signified by an order made upon a petition to be preferred in a summary way by the person or persons who would have been entitled to the rents and profits of the said lands, tenements, or hereditaments, in the purchase of the land tax, or towards the discharge of any debt or debts, or such other incumbrances, or part

thereof, as the said court shall authorize to be paid, affecting the same lands, tenements, or hereditaments, or affecting other lands, tenements, or hereditaments standing settled therewith to the same or to the like uses, trusts, intents, or purposes; or where such money shall not be so applied, then the same shall be laid out and invested, under the like direction and approbation of the said court, in the purchase of other lands, tenements, or hereditaments, which shall be conveyed and settled to, for, and upon such and the like uses, trusts, intents, and purposes, and in the same manner as the lands, tenements, or hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the time of making such conveyance or settlement shall be existing, undetermined, and capable of taking effect; and in the meantime and until such purchase shall be made, the said money shall, by order of the said court of chancery, upon application thereto, be invested by the said accountant-general, in his name, in the purchase of *3l. per cent.* consolidated, or *3l. per cent.* reduced bank annuities; and in the meantime and until the said bank annuities shall be ordered by the said court to be sold for the purposes aforesaid, the dividends and annual produce of the said consolidated or reduced bank annuities shall from time to time be paid, by the order of the said court, to the person or persons who would for the time being have been entitled to the rents and profits of the lands, tenements, or hereditaments so hereby directed to be purchased, in case such settlement or purchase were made, *3 G. 4. c. 126. s. 90.*

93. Provided, that if any money so agreed or awarded to be paid for any lands, tenements, or hereditaments, purchased, taken, or used for the purposes aforesaid, belonging to any corporation, or to any person under disability or incapacity as aforesaid, shall be less than the sum of *200l.*, and shall amount to or exceed the sum of *20l.*, then and in all such cases the same shall, at the option of the person for the time being entitled to the rents and profits of the lands, tenements, or hereditaments so purchased, taken, or used, or of his guardian or guardians, committee or committees, in case of infancy or lunacy, to be signified in writing under their respective hands, be paid into the said bank, in the name and with the privity of the said accountant-general of the high court of chancery, and be placed to his account as aforesaid, in order to be applied in manner herein-after directed; or otherwise the same shall be paid, at the like option, to two trustees to be nominated by the person making such option, and approved by three or more of the trustees or commissioners taking such lands, tenements, or hereditaments (such nomination and approbation to be signified in writing under the hands of the nominating and approving parties), in order that such principal money, and the dividends and interest arising thereon, may be applied in manner herein-before directed, so far as the case be applicable, without obtaining or being required to obtain the direction or approbation of the court of chancery, *3 G. 4. c. 126. s. 91.*

94. Provided, that where such money so agreed or awarded to be paid as last before mentioned shall be less than *20l.*, then the same shall be applied to the use of the person who would for the time being have been entitled to the rents and profits of the lands, tenements, or hereditaments so purchased, taken, or used, in such manner as the said trustees or commissioners, or any three or more of them, shall think fit; or in case of lunacy or infancy, then to his guardian or guardians, committee or committees, to and for the use and benefit of such person so entitled respectively, *3 G. 4. c. 126. s. 92.*

95. In case the person or persons to whom any sum of money shall be awarded for the purchase of any lands, tenements, or hereditaments to be purchased by virtue of this act, shall refuse to accept the same, or shall not be able to make a good title to the premises, to the satisfaction of the trustees or commissioners, or any three or more of them, or in case such person to whom such sum of money shall be so awarded as aforesaid cannot be found, or if the person entitled to such lands, tenements, or hereditaments be not known or discovered, then it shall be lawful to and for the trustees or commissioners, or any three or more of them, to order the said sum of money so awarded as aforesaid, to be paid into the bank of *Eng.*, in the name and with the privity of the said accountant-general of the said court of chancery, to be placed to his account, to the credit of the parties interested in the said lands, tenements, or hereditaments, (describing them,) subject to the order, controul, and disposition of the said court of chancery, which said court of chancery, on the application of any person making claim to such sum of money, or any part thereof, by motion or petition, is hereby empowered, in a summary way of proceeding, or otherwise, as to the said court shall seem meet, to order the same to be laid out and invested in the public funds, and to order distribution thereof, or payment of the dividends thereof, according to the respective estate, title, or interest, of the person making claim thereunto, and to make such other order in the premises as to the said court shall seem just and reasonable; and the cashiers of the bank of *Eng.*, who shall receive such sum of money, are hereby required to give a receipt or receipts for such sum of money, mentioning and specifying for what and for whose use the same is received, to such

person or persons as shall pay any sum of money into the bank of *Eng.* as aforesaid, *3 G. 4. c. 126. s. 93.*

96. Provided, that where any question shall arise touching the title of any person to any money to be paid into the bank of *Eng.*, in the name and with the privity of the said accountant-general of the said court of chancery, in pursuance of this act, for the purchase of any lands, tenements, or hereditaments to be purchased in pursuance of this act, or to any bank annuities to be purchased with any such money, or to the dividends or interest of any such bank annuities, the person who shall have been in possession of such lands, tenements, or hereditaments at the time of such purchase, and all persons claiming under such person, or under the possession of such person, shall be deemed and taken to have been lawfully entitled to such lands, tenements, or hereditaments, according to such possession, until the contrary shall be shown to the satisfaction of the said court of chancery; and the dividends or interest of the bank annuities to be purchased with such money, and also the capital of such bank annuities, shall be applied and disposed of accordingly, unless it shall be made to appear to the said court, that such possession was a wrongful possession, and that some other person or persons was or were lawfully entitled to such lands, tenements, or hereditaments, or to some estate or interest therein, *3 G. 4. c. 126. s. 94.*

97. Provided, that where by reason of any disability or incapacity of the person or corporation entitled to any lands, tenements, or hereditaments to be purchased under this act, the purchase-money for the same shall be required to be paid into the court of chancery, and to be applied in the purchase of other lands, tenements, or hereditaments, to be settled to the like uses in pursuance of this act, it shall be lawful for the said court of chancery to order the expences of all purchases from time to time to be made in pursuance of this act, or so much of the said expences as the said court shall deem reasonable, together with the necessary costs and charges of obtaining such order, to be paid by the trustees or commissioners, or any three or more of them, who shall from time to time pay such sums of money for such purposes as the said court shall direct, *3 G. 4. c. 126. s. 95.*

98. It shall not be lawful for the trustees or commissioners of any turnpike road, in altering or diverting the course of any part of the turnpike road under their care and management, to deviate over any inclosed lands or grounds more than 100 yards from the line or course of such turnpike road, without the consent in writing of the owner or proprietor of such lands or grounds, or to take in or make use of any garden, yard, paddock, park, planted walk or avenue to a house, or any inclosed ground planted as an ornament or shelter to a house, or planted and set apart as a nursery for trees, or any part thereof respectively, without the like consent of the owner or proprietor thereof first had and obtained: provided, that nothing herein contained shall extend to revoke, limit, abridge, alter, or vary any powers or authorities contained in any act of parliament existing and in force at the passing of this act, for making, altering, or diverting any turnpike road or the course thereof, to be made, altered, or diverted and maintained under the authority of such acts, but the same powers and authorities shall and may be used, exercised, and carried into effect by the trustees or commissioners appointed by such acts, fully and effectually, *3 G. 4. c. 126. s. 96. [REP. 4 G. 4. c. 95. s. 64.; see new provision, 4 G. 4. c. 95. s. 65. pl. 202.]*

99. It shall be lawful for the surveyor to the trustees or commissioners of every turnpike road, and for all such persons as he or they shall appoint, to search for, dig, gather, take and carry away any materials for making or repairing any turnpike road, out of any common river or brook (not being within 50 yards of any bridge, dam, weir, or jetty), or out of or from any waste or common in any parish, hamlet, or place in which any part of such road may lie, or in any adjoining parish, hamlet, or place, and to haul and carry away any such materials when got over any common or waste lands, without paying any thing for such materials, and without being deemed a trespasser; the said surveyor, or other person, filling up the pits or quarries, levelling the grounds, or sloping down the banks wherefrom such materials shall be taken, or railing or fencing off such pits or quarries, so that the same shall not be dangerous to any persons or cattle, and paying or tendering for the damage done by going through and over any inclosed lands or grounds for or with such materials, and such damages to be ascertained as herein-after mentioned; and also that it shall be lawful for the said surveyor, and such person or persons as he or they shall appoint, to search for, dig, get, gather, take, and carry away any such materials in or out of the land of any person where the same may be had or found, in any parish, hamlet, or place in which any part of such road shall lie or be situate, or in any adjoining parish, hamlet, or place (not being a garden, yard, park, paddock, planted walk or avenue to any house, or any piece of ground planted and set apart as a nursery for trees), making or tendering such satisfaction for such materials, and for the damage done to the owners or occupiers of the lands where and from whence the same shall be dug, gathered, and carried away, or over which the same shall be carried, as the said trustees or commissioners shall judge reasonable; and also to

land on and carry through or over any inclosed lands or grounds (not being a garden, yard, park, paddock, planted walk, or avenue to a house, or any piece of ground planted and set apart as a nursery for trees), or on, through or over any open land or common, any stone or other materials for making or repairing any such road, or for building or repairing any present or future toll-house on or by the sides thereof, from any river, stream, or canal, in any parish, hamlet, or place in which any such road lies, or in any adjoining parish, hamlet, or place, paying or tendering for the damage done in landing on, or going through or over any inclosed lands or grounds for or with such materials, such sum of money as the said trustees shall judge reasonable; and in case of any difference between such trustees or commissioners, surveyors, or other persons appointed or employed as aforesaid, and the owners and occupiers of such lands, or any of them, concerning such payments and damages as aforesaid, any two or more justices of the peace for the county, riding, or place wherein the place from whence such materials shall have been taken shall be situate, on 10 days' notice thereof being given in writing by either party to the other, shall hear, settle, and determine the matter of such payments and damages, and the costs attending the hearing and determining the same, 3 G. 4. c. 126. s. 97.

100. Provided, that it shall not be lawful for any surveyor, or any other person acting under the authority of this act, to dig, gather, get, take or carry away any materials for making or repairing any turnpike road, or for other such purpose as aforesaid, out of or from any inclosed land or ground, until notice in writing, signed by the surveyor, shall have been given to the owner or owners of the premises from which such materials are intended to be taken, or his or her known agent, or to the occupiers of the premises from which such materials are intended to be taken, or left at the house or last or usual place of abode of such owner or occupier, to appear before any two or more justices of the peace acting in and for the county, liberty, or place where the lands from whence such materials are intended to be taken shall lie, to show cause why such materials shall not be had therefrom; and in case such owner, agent, or occupier shall attend pursuant to such notice, but shall not show sufficient cause to the contrary, such justices shall, if they think proper, authorize such surveyor or other person to dig, get, gather, take, and carry away such materials, at such time or times as to such justices shall seem proper; and if such owner, agent, or occupier shall neglect or refuse to appear by himself or herself, or his or her agent, the said justices shall (upon proof on oath of the service of such notice, and which oath they are hereby empowered to administer,) make such order therein as they think fit, as fully and effectually to all intents and purposes as if such owner or occupier, or his or her agent, had attended, 3 G. 4. c. 126. s. 98.

101. If any surveyor of any turnpike road, or any person employed by him, shall, by reason of the searching for, digging, or getting, any gravel, sand, stones, chalk, clay, or other materials for repairing any highways, make or cause to be made any pit or hole in any common or other lands or grounds, rivers or brooks as aforesaid, wherein such materials shall be found, the said surveyor shall forthwith cause the same to be sufficiently fenced off, and such fence supported and repaired during such time as the said pit or hole shall continue open, and shall, within three days after such pit or hole shall be opened or made, where no gravel, stones, or materials shall be found, cause the same forthwith to be filled up, levelled, and covered with the turf or clod which was dug out of the same; and where any such materials shall be found, within 14 days after having dug up sufficient materials in such pit or hole, if the same is not likely to be further useful, cause the same to be filled up, sloped down, or fenced off, and so continued; and if the same is likely to be further useful, the said surveyor shall secure the same by posts and rails, or other fences, to prevent accidents to persons or cattle; and in case such surveyor shall neglect to fill up, slope down, or fence off such pit or hole in manner and within the time aforesaid, he or they shall forfeit the sum of 20s. for every such default; and in case such surveyor shall neglect to fence off such pit or hole, or to slope down the same, as herein-before directed, for the space of six days after he or they shall have received notice for either of those purposes from any justice of the peace, or from the owner or occupier of such several ground, river, or brook, or any person having right of common within such common or waste lands as aforesaid, and such neglect and notice shall be approved upon oath before one or more of the said justices of the peace, such surveyor shall forfeit and pay any sum not exceeding 10l., nor less than 40s., for every such neglect, to be determined and adjudged by such justice or justices, and to be laid out and applied in the fencing off, filling up, or sloping down such pit or hole, in such manner as the said justice shall direct and appoint; which forfeiture, in case the same be not forthwith paid, shall be levied as other forfeitures are herein-after directed to be levied, 3 G. 4. c. 126. s. 99.

102. Provided, that it shall be lawful for the said trustees or commissioners to contract and agree with any person whomsoever for the pur-

chase or demise from him, of and to hold any land or ground for the purpose of digging stones, gravel, and materials therefrom for the repair or use of the said road, and at any time afterwards to sell the land or ground so purchased by public auction or tender; provided also, that the entering into any such contract or agreement as last aforesaid shall not be compulsory against any person unwilling to enter into the same, 3 G. 4. c. 126. s. 100.

103. If any person shall take away any materials which shall have been gotten, dug, or gathered for the repair or use of any turnpike road, or any materials out of any quarry which shall have been made, dug, or opened for the purpose of getting materials for any turnpike road, before the surveyor of such road and the workmen employed for getting such materials shall have discontinued working therein for the space of six weeks (except the owner or occupier of any private grounds, and persons authorized by him to get materials in such quarry for his own private use, and not for sale), every person so offending shall, for every such offence, forfeit and pay any sum not exceeding 5l., 3 G. 4. c. 126. s. 101.

104. The trustees or commissioners of every turnpike road are hereby empowered to purchase or rent any piece or pieces of land or ground not exceeding in any one place six yards square, on the sides of such road, as repositories for stone, gravel, and other materials for making or repairing the same; and in case any difference shall arise between such trustees or commissioners and the owner of such land or ground, with respect to the value thereof, or the necessity or propriety of taking such land or ground, the same shall be settled and determined by any two justices of the peace acting in and for the county where the said land or ground shall be situated, in manner herein-before [viz. s. 98. pl. 100.] directed with respect to getting materials for the repair of any turnpike road, 3 G. 4. c. 126. s. 102.

105. It shall be lawful for the company of proprietors, or the trustee or trustees for the proprietors of any canal, or of any railway or tram-road, on which any flint, gravel, stone, or other materials for the repair of any turnpike road shall be conveyed, and they are hereby authorized to lessen and reduce the tolls and rates imposed by any act of parliament by which any such company shall be appointed, or any other act whatsoever, on the carriage of such flint, gravel, stone, or other materials carried on the said canal or railway, and to appoint such lower tolls and rates to be taken for the carriage and conveyance of the same as the said company or trustees shall think proper; and all such reduced tolls shall be collected, taken, and recovered by the same persons and means, and by and under the same powers, provisions, penalties, and forfeitures, as the original tolls might have been taken in case the same should not have been reduced; any act of parliament, bye-law or ordinance, or trust-deed, to the contrary notwithstanding, 3 G. 4. c. 126. s. 103.

106. All persons who by law are liable to do statute-work, or are chargeable towards the repairing and amending any turnpike road, shall remain liable thereto in like manner as they now are or have heretofore been; and it shall be lawful for any two or more justices of peace, upon application made to them by any three or more of the trustees or commissioners, or by their clerk or surveyor of such turnpike road, yearly to adjudge and determine what part or proportion of the statute-work shall every year be done upon such road by the inhabitants of the respective parishes in or through which the said road shall lead or pass, and also what proportion of the money received by the surveyor of the highways of every such parish, in lieu of or as a composition for such statute-work, shall be paid to the said trustees or commissioners, or their treasurer; and in order thereunto the surveyor of the highways for every such parish shall, on an order in writing made by the said justices, on an application to them by the trustees or commissioners of the turnpike road, or by their clerk or surveyor, and respectively delivered to such surveyor of the highways, or left at his usual place of abode, deliver within 10 days afterwards, to the said turnpike surveyor, or at his place of abode, true and perfect lists in writing of the names of the several persons who within such parish are by law liable to do statute-work for that year, or to the payment of any money in lieu of or as a composition for such statute-work, distinguishing the nature of the work to be done, whether with teams or draughts, or otherwise, and also the amount of the respective sums to be paid; which lists of names shall be made in such manner and under such regulations as are directed by any law or statute in force for the repairs of the public highways, and may be made in the form specified in the schedule to this act [No such form was given, but the omission is supplied by 4 G. 4. c. 95. s. 77. and sch. No. 2.]; and the said turnpike surveyor having received such lists, shall within five days afterwards give a notice to the surveyor of the highways of the time when such lists will be laid before the said justices, in order to apportion the said statute-duty; and at the time appointed in and by such notice the said lists shall be laid before the said justices by the said turnpike surveyor, in the presence of the said surveyor of the highways; and out of such lists the said justices shall allot, appoint, and order such persons who shall appear to be liable to do statute-work in every year

upon such road as the said justices shall think reasonable; and the same shall be done on such days and at such time (not being hay-time or harvest), and on such parts of the said road, as the said trustees or commissioners, or their surveyor, shall from time to time order, direct, or appoint; and the said justices shall order and direct the persons who by such lists shall be subject and liable to the payment of any money in lieu of or as a composition for the statute-work as aforesaid, to pay such proportion thereof as the said justices shall think proper to the surveyor of such parishes respectively, to be by him paid over to the said trustees or commissioners, or their treasurer, at such time as the said justices shall direct; and in default of payment thereof, the same shall be recovered by distress and sale of the goods and chattels of the respective persons liable to the payment thereof, in like manner as any penalty is by this act directed to be recovered; and every person who shall neglect or refuse to do such statute-work as aforesaid, after notice in writing given to or left for him, at his usual place of abode, by any surveyor to the said trustees or commissioners, shall, for every day of his default, or the default of any labourer, team, draught, horse or beast to be provided by him, be liable to such fines, penalties, and forfeitures as such person may be liable to by any law; and if any person who shall come to work as a labourer, or shall be sent with any team or draught to work on any part of such road, shall be found idle or negligent by any surveyor, such surveyor is hereby empowered to remove and dismiss the person who shall be so found idle or negligent, and in that case every such person shall be liable to the respective forfeitures and payments as aforesaid, as if he had neglected or refused to come, or such team or draught had not been sent to work on any part of such road; all which forfeitures shall be paid to the treasurer of the said trustees or commissioners, and applied towards amending the said road; and in case the surveyor of the highways for any of the said parishes shall refuse or wilfully neglect to give in any such lists as aforesaid, or shall give in false and imperfect lists, or shall neglect to collect or pay over such composition-money in manner aforesaid, every such surveyor so offending shall for every such offence forfeit and pay any sum not exceeding 10*l.*, 3 G. 4. c. 126. s. 104. [*Recited and REP.*, 4 G. 4. c. 95. s. 79.; *new provision*, 4 G. 4. c. 95. s. 80. *post*, pl. 214.]

107. It shall be lawful for the trustees or commissioners of every turnpike road to compound and agree with any person or persons, bodies politic or corporate, for the repairs or statute-work to be by him, her, or them done on any such turnpike road, and also with the surveyor of the highways for any of the parishes, hamlets, or places in which the said road doth or shall lie and be situate, for a certain sum of money, by the year or otherwise as the said trustees or commissioners shall think reasonable, in lieu of the whole or any part of the statute-work or other work to be by all or any of the said inhabitants and occupiers done on the said road, [*which composition-money shall always be paid by the surveyor of the highways, or other officer of the parish, hamlet, or place, or by the person so compounding, to the treasurer of the trustees or commissioners in advance, on or before the 29th Sept. in each year, or otherwise such person or persons, bodies politic or corporate, or inhabitants and occupiers within such parish, hamlet, or place, shall not be permitted to compound for that year;*] and all such composition-money shall be applied for the purposes of such turnpike road; and that every such surveyor of the highways who shall pay any such composition-money shall be reimbursed the same in like manner as surveyors of the highways are by the laws in being to be reimbursed the money by them laid out and expended in buying materials for the repairing of any other highway, 3 G. 4. c. 126. s. 105. [*The words in italic REP.*, 4 G. 4. c. 95. s. 82., and *new provision made*; *post*, pl. 216.]

108. It shall be lawful for the trustees or commissioners of any turnpike roads to contract and agree with any person liable to the repair of any part of the road under the care and management of such trustees or commissioners, or of any bridges thereon, by tenure or otherwise, for the repair thereof, for such term as they shall think proper, not exceeding three years, and to contribute towards the repair of such road or bridges, such sum of money as they shall think proper out of the tolls arising on such turnpike road, 3 G. 4. c. 126. s. 106.

109. And whereas many bridges on turnpike roads are by prescription at present liable to be repaired by certain parishes, and not by the county or counties in which they are situated, and which bridges from change of times and circumstances are become no longer sufficiently convenient for the use of the public without being enlarged or otherwise improved; be it therefore further enacted, That it shall be lawful for any such county or counties, parish or parishes respectively, to enter into a composition or agreement with each other, and by the authority of those persons who shall be legally competent to make rates for such county and parish respectively, whereby the improvement and future repair of any such bridge shall be undertaken and lie upon the county or counties in which such bridge is locally situated; and that all rates made for carrying into effect any such composition, agreement, repairs, or improvement, shall be made and assessed in the same manner as other

the rates of such county or parish respectively, and shall be good and valid to all intents and purposes, 3 G. 4. c. 126. s. 107.

110. It shall be lawful for the trustees or commissioners of any turnpike road, and for such parish or parishes, in like manner to enter into a composition or agreement with each other, and by the authority of the persons at present legally competent to make rates for such parish or parishes, whereby, in consideration of such sum of money as shall be agreed upon being yearly paid to the treasurer of the trustees or commissioners entering into such composition or agreement, out of the rates to be raised for the repair of the bridge or bridges the subject thereof, the repairs of any such bridge shall, during the continuance of any act of parliament under which such trustees or commissioners shall be appointed or act, be undertaken and carried on by the said trustees or commissioners; and that all rates and assessments raised and levied for carrying such composition or agreement into effect, shall, in like manner, be good and valid to all intents and purposes whatsoever, 3 G. 4. c. 126. s. 108.

111. And whereas there are or may be turnpike roads in such a state and condition with regard to their repairs and the revenues arising upon them, that the statute-duty required to be performed upon the same may be in the whole or in part dispensed with, and employed more advantageously, for the benefit of the other public highways within the parish, township, or place liable to the performance of such duty; be it therefore enacted, That it shall be lawful for the justices of the peace at any special sessions, upon application to them made by the surveyor of the highways, or by any two inhabitants of any parish, township, or place, to summon before them the clerk and surveyor of any turnpike road within such parish, township, or place alleged to be in the situation before described, and then and there to produce before them a state of the revenues and debts of such turnpike road, and for such justices to inquire into the state and condition of the repairs thereof, and also of the repairs of such other highways; and if it shall appear to the said justices, upon full and clear evidence, that the whole or any part of such statute-duty may be conveniently dispensed with from such turnpike road, without endangering the securities for the monies advanced upon the credit of the tolls thereof, and that such statute-duty is wanted for the repairs of the other highways within such parish, township, or place, then and in that case it shall and may be lawful for the said justices to order the whole or part of such statute-duty to be performed upon the highways not being turnpike within such parish, township, or place, under the direction of the surveyor thereof, during such time as to them shall seem reasonable, and the same shall be performed accordingly, 3 G. 4. c. 126. s. 109.

112. When the inhabitants of any parish, township, or place shall be indicted or presented for not repairing any highway being turnpike road, and the court before whom such indictment or presentment shall be preferred shall impose a fine for the repair of such road, such fine shall be apportioned, together with the costs and charges attending the same, between the inhabitants of such parish, township, or place, and the trustees or commissioners of such turnpike road, in such manner as to the said court, upon consideration of the circumstances of the case, shall seem just; and it shall be lawful for such court to order the treasurer of such turnpike road to pay the sum so proportioned for such turnpike road out of the money then in his hands or next to be received by him, in case it shall appear to such court, from the circumstances of such turnpike debts and revenues, that the same may be paid without endangering the securities of the creditors who have advanced their money upon the credit of the tolls to be raised thereupon, which order shall be binding upon such treasurer, and he is hereby authorized and required to obey the same, 3 G. 4. c. 126. s. 110.

113. It shall be lawful for the trustees or commissioners to make and keep, or cause to be made and kept in repair, any causeway or causeways for the use of foot-passengers in, upon, or on the sides of the turnpike road in such manner as they shall think proper; and also to make or cause to be made a road through the grounds adjoining to any ruinous or narrow part of any turnpike road (not being the site or ground whereon any house stands, nor being a yard, garden, park, paddock, planted walk or avenue to any house, or any inclosed ground planted and set apart as a nursery for trees), to be made use of by all passengers, cattle, and carriages, as a public highway, whilst the old road is repairing or widening, and till such time as it shall be convenient for passengers and carriages to pass along the same, making such recompence to the owners and occupiers of such private grounds respectively, for the damages they shall or may thereby sustain, as shall be adjudged reasonable by the trustees or commissioners of the road under repair or alteration; and in case of any difference concerning such damages between such owners or occupiers and such trustees or commissioners, that then it shall be lawful for any two or more justices of the peace acting in and for the county wherein such grounds shall be situate, on 14 days' notice in writing being given by either party to the other, to settle, adjudge, and finally determine what recompence shall be made to such owners

and occupiers, for the damages they shall have sustained as aforesaid, 3 G. 4. c. 126. s. 111.

114. Provided, that nothing herein contained as to the making or maintaining any causeway or footpath, or any other matter or provision in this act, shall extend to authorize or empower any trustees or commissioners of any turnpike road to lay down, continue, repair, or maintain any pavement, or any paved or pitched causeway or footpath, in or upon or at the side of any turnpike road within any town, village, or hamlet where such turnpike road shall pass through the same, unless provision shall have been or shall be specially made for that purpose in the act of parliament under which such turnpike road shall be made, maintained, or repaired; but in default of such provision every such pavement, paved or pitched causeway or footpath, within such town, village, or hamlet shall be made, repaired, and maintained, by and at the costs of the inhabitants of such town, village, or hamlet, or by such other persons as shall be in anywise liable to make, maintain, and repair the same, 3 G. 4. c. 126. s. 112.

115. Ditches, drains, or water-courses of a sufficient depth and breadth, for the keeping all turnpike roads dry, and conveying the water from the same, shall be made, scoured, cleansed and kept open, and sufficient trunks, tunnels, plats, or bridges, shall be made and laid where any carriage-ways or footways lead out of the said turnpike roads into the lands or grounds adjoining thereto, by the occupier or occupiers of such lands or grounds; and every person who shall occupy any lands or grounds adjoining to or lying near such turnpike road through which the water hath used to pass from the said turnpike road, shall from time to time as often as occasion shall be, open, cleanse, and scour the ditches, watercourses, and drains for such water to pass without obstruction; and that every person making default in any of the matters or things aforesaid, after 10 days' notice to him given, shall for every such offence forfeit any sum not exceeding 5*l.*, 3 G. 4. c. 126. s. 113.

116. It shall be lawful for the surveyor of every turnpike road, and such person as he shall appoint, to remove and prevent all annoyances on every part of every turnpike road, by filth, dung, ashes, rubbish, or any other matter or thing whatsoever being laid or thrown upon any turnpike road, or upon any open common or waste land within 80 feet of the centre thereof, and to dispose of the same for the benefit of such road, in case the owner thereof shall neglect to remove the same within 12 hours after notice in writing, signed by any two trustees, or the surveyor of such road, given to such owner for that purpose, or in case the owner is not known, then after a like notice affixed for three days on the nearest turnpike-gate; and to turn any watercourses, sinks, or drains running into, along, or out of any turnpike road, or any part thereof, to the prejudice of the same, and to open, scour, and cleanse any watercourses or ditches adjoining to any turnpike road, and make the same as deep and large as he shall think proper and necessary, in case the owners or occupiers of the adjoining lands shall neglect to open, scour, or cleanse such watercourses or ditches after seven days' notice in writing given for that purpose; and the charges thereof, and of removing any annoyances, to be settled by any one or more justices of the peace of the county or place where such part of the turnpike road shall lie, shall be reimbursed to the said surveyor by such owners or occupiers, and the same shall be recovered in such manner as the penalties and forfeitures are herein-after directed to be recovered; and if after the removal of any of the said annoyances, any person shall again offend in the like kind, every such person shall for every such offence, forfeit and pay any sum not exceeding 5*l.*, 3 G. 4. c. 126. s. 114.

117. In all cases where any gutter, drain, sink, sewer, or under-drain made or hereafter to be made under or at the sides or near any turnpike road, shall be used as well for the conveyance of the water from such turnpike road, as for conveying water, filth, or other matters from the houses or premises of the inhabitants of any town, hamlet, village, street, or place, and no specific mode of repair, or persons liable to the expences of maintaining the same shall be appointed, the expence of maintaining and repairing such gutter, &c. shall be borne and defrayed equally or in proportions by the trustees or commissioners of such turnpike road, and the inhabitants of the town, hamlet, village, street, or place using the same; and in order to ascertain the proportion, and recover such expences, the surveyor of the turnpike road under or at the sides or near to which such gutter, &c. shall be situated, shall as often as shall be requisite repair the same, and shall then make out an account of the costs and expences of such reparation, and produce the same to any two or more justices of the peace acting for the county or place where such gutter, &c., or so much thereof as shall be repaired, shall lie; and it shall be lawful for the said justices, and they are hereby authorized to examine the accounts and statements to be produced to them, and to inquire as to the persons using such gutter, &c., and to proportion the amount to be paid by the trustees or commissioners of the turnpike road, and by the inhabitants and persons using such gutter, &c. respectively, and to fix and ascertain the amount of such proportion as they the said justices shall deem just and reasonable, to be

paid by the said several parties respectively; and if any person shall neglect or refuse to pay the sum directed by the said justices to be paid by him, the same shall be levied by distress and sale of the goods and chattels of the person so neglecting or refusing, by a warrant under the hands and seals of any two or more justices of the peace acting for the county or place where such person shall reside, 3 G. 4. c. 126. s. 115.

118. The owners or occupiers of the land next adjoining to every turnpike road, shall cut, prune, and trim their hedges to the height of six feet from the surface of the ground, and also cut down, prune, or lop the branches of trees, bushes, and shrubs growing in or near such hedges, or other fences adjacent thereto (such fences, trees, bushes, or shrubs, not being in any garden, orchard, plantation, walk, or avenue to a house, nor any tree, bush, or shrub, being an ornament or shelter to a house, unless the same shall hang over the road, or any part thereof, in such a manner as to impede or annoy any carriage or person travelling thereon) in such manner, that the turnpike road shall not be prejudiced by the shade thereof, and that the sun and wind may not be excluded from such turnpike road to the damage thereof; and if such owner or occupier shall not within 10 days after notice given by the surveyor for that purpose, cut, prune, and trim such hedges, or cut down, prune, or trim such branches of trees, bushes, and shrubs in manner aforesaid, it shall be lawful for the said surveyor and he is hereby required to make complaint thereof to some justice of the limit where such turnpike road shall lie, who shall summon the occupier of such lands before him to answer the said complaint; and if it shall appear to such justice that such occupier has not complied with the requisites of this act in that behalf, it shall be lawful for such justice, upon hearing the surveyor and occupier of such land or his agent (or in default of his or her appearance, upon having due proof of the service of such summons), and considering the circumstances of the case, to order such hedges to be cut, trimmed, and pruned, and such branches of trees, bushes, and shrubs to be cut down or pruned, or trimmed in such manner as may best answer the purposes aforesaid; and if the occupier of such lands shall not obey such order within 10 days after it shall have been made, and he or she shall have had due notice thereof, he or she shall forfeit the sum of 2*s.* for every 24 feet in length of such hedge which shall be so neglected to be cut, trimmed, and pruned, and the sum of 2*d.* for every tree, bush, or shrub which shall be so directed to be cut down, pruned, or trimmed; and the surveyor, in case of such default made by the occupier, shall and he is hereby required to cut, prune, and trim such hedges, and to cut down, prune, or trim such branches of trees, bushes, and shrubs, in the manner directed by such order, and such occupier shall be charged with and pay, over and above the said penalties, the charges and expences of doing the same, or in default thereof, such charges and expences shall be levied, together with the said forfeitures, upon his or her goods and chattels, by warrant from a justice of the peace, in such manner as is authorized for forfeitures incurred by virtue of this act, 3 G. 4. c. 126. s. 116.

119. Provided, that no person shall be compelled, nor any surveyor permitted, by virtue of this act, to cut or prune any hedge at any other time than between the last day of *Sept.* and the last day of *March*, 3 G. 4. c. 126. s. 117.

120. If any person shall make or cause to be made any dwelling-house or other building, or any hedge or other fence on or at the sides of any turnpike road, in such manner as to reduce the breadth or confine the limits thereof, or shall fill up or obstruct any ditch at the side thereof; or shall make or cause to be made any dwelling-house or other building, or any hedge or other fence on any common or waste land on the side or sides of any turnpike road, within the distance of 50 feet, if within three miles of any market town, or if beyond that distance, within 25 feet from the middle or centre thereof; or shall make any drain, gutter, sink, or watercourse across, or otherwise break up or injure the surface of any turnpike road, or of any part thereof; or shall plough, harrow, or break up the soil of any land or ground, or in ploughing or harrowing the adjacent lands, shall turn his or their plough or harrow in or upon any land or ground within the distances aforesaid from the middle or centre of any turnpike road made or to be made, or make any other encroachment on any turnpike road within the distances aforesaid from the middle or centre thereof; every person so offending shall forfeit, for every such offence, 40*s.* to such person as shall make information of the same; and it shall be lawful for the trustees or commissioners who have the care of any such road, to cause such dwelling-house or other building, hedge, ditch, or fence, drain, sink, watercourse, gutter, or other encroachment to be taken down or filled up, or where any ditch shall be filled up or obstructed, to be opened and cleansed at the expence of the person to whom the same shall belong; and it shall be lawful for any one or more justice or justices of peace of the county where such offence shall be committed, upon proof thereof to him or them made upon oath, to levy, as well the expences of taking down or filling up or cleansing such dwelling-house or other building, hedges, ditches, drains, or other encroachments

as aforesaid, as the respective penalties hereby imposed, by distress and sale of the offender's goods and chattels, rendering the overplus (if any) to the owner on demand, 3 G. 4. c. 126. s. 118.

121. The said trustees or commissioners shall cause stones or posts to be set up or placed in or near the sides of every turnpike road, at the distance of one mile from each other, denoting the distance of any and every such stone or post from any town or place, and also such direction-post at the several roads leading out of any such road, or at any crossings, turnings, or terminations thereof, with such inscriptions thereon denoting to what place or places the said roads respectively lead, of such height or size, and to be erected in such situations as they the said trustees or commissioners shall think proper; and also to cause to be painted in legible characters, on some wall or board at the entrance of every town or village, the name of such town or village, and shall also cause stones to be put up marking the boundaries of parishes where such boundaries shall cross any turnpike road, and from time to time to repair or renew such stones, posts, and boards, and keep and continue legible the inscriptions on such stones, posts, walls, and boards respectively; and if any person or persons shall wilfully break, cut down, pull up, or damage any such posts, stones, or boards, or shall obliterate, deface, spoil, or destroy all or any of the letters, figures, or marks which shall be inscribed or painted thereon, or on any such walls, and be thereof convicted before any justice of the peace for the county, city, or place where such offence shall be committed, by the confession of the party, or by the oath of one witness, such person so offending shall forfeit and pay any sum not exceeding 10*l.* for every such offence, 3 G. 4. c. 126. s. 119.

122. And whereas by several acts of parliament relating to particular turnpike roads, power is given to the trustees to water the roads during certain months in the year, and to take additional tolls on account of the said watering, and the time specified in such acts has been found in many instances too limited to afford to the public all the advantages which might be derived from watering the said roads; be it further enacted, That wherever an act or acts has or have been passed to enable the trustees of any turnpike road or roads to water the same or any part thereof, and to take an additional toll for such watering during a limited time in the said act or acts specified, it shall be lawful for the trustees of the said road or roads, at any general meeting held for that purpose, to order that such part of the said road or roads as by the local act relating to the same is allowed or directed to be watered, and a certain additional toll to be taken for such watering, shall be watered, and the said additional toll for watering the same may be demanded and taken for any time between the 1st *March* in every year and 1st *Nov.* following; and the said trustees shall have and they are hereby authorized to exercise and enforce all the powers, authorities, remedies, and penalties, for collecting the said additional tolls for watering the roads during the time aforesaid, as they now by law have for any other tolls which may be demanded and collected on the said roads, 3 G. 4. c. 126. s. 120.

123. If any person shall ride upon any footpath or causeway, by the side of any turnpike road, made or set apart for the use or accommodation of foot passengers, or shall lead or drive any horse, ass, mule, swine, or cattle or carriage of any description, or any wheelbarrow, truck, or sledge, or any single wheel of any waggon, cart, or carriage apart therefrom, upon any such footpath or causeway, or shall cause any injury or damage to be done to the same, or the hedges, posts, rails, or fences thereof, or shall wilfully pull down or damage any bridge, wall, or any other building or erection made by the trustees or commissioners of any turnpike road, or repaired or repairable by them; or shall haul or draw, or cause to be hauled or drawn upon any part of such turnpike road, any timber, stone, or other thing, otherwise than upon wheeled carriages, or shall suffer any timber, stone, or other thing, which shall be carried principally or in part upon wheeled carriages, to drag or trail upon such road to the prejudice thereof; or shall use any tipstick, joggle, or other instrument for the purpose of retarding the descent of any cart or other carriage down any hill, in such manner as to destroy, injure, or disturb the surface of any turnpike road; or shall in or upon such road, or by the side or sides thereof, or in any exposed situation near thereto, kill, slaughter, singe, scald, burn, dress, or cut up any beast, swine, calf, lamb, or other cattle; or if any person driving any horse or other beast on the said road, carrying any iron bar or rod, basket or pannier, or any other matter or thing, shall place such bar or rod, basket or pannier, matter or thing, so that the same or any of them shall project more than 30 inches from the side of such horse or other beast, or so as in any manner to obstruct or impede the passage of any person, or any horse, beast, or carriage travelling along such turnpike road; or if any hawker, higler, gipsy, or other person travelling with any machine, vehicle, cart, or other carriage, with or without any horse, mule, or ass, shall pitch any tent, booth, stall, or stand, or encamp upon or by the sides of any part of any turnpike road; or if any blacksmith, or other person occupying a blacksmith's shop situate near any turnpike road,

and having a window fronting the said road, shall not, by good and close shutters every evening after it becomes twilight, bar and prevent the light from such shop shining into or upon the said road; or if any person shall make or assist in making any fire commonly called bonfires, or shall set fire to or wantonly let off or throw any squib, rocket, serpent, or other firework whatsoever, within 80 feet of the centre of such road; or bait or run for the purpose of baiting any bull, or play at football, tennis, fives, cricket, or any other game or games upon such road, or on the side or sides thereof, or in any exposed situation near thereto, to the annoyance of any passenger; or if any person shall leave any waggon, wain, cart, or other carriage whatever upon such road, or on the side thereof, without any proper person in the sole custody or care thereof, longer than may be necessary to load or unload the same, except in cases of accident, and in cases of accident for a longer time than may be necessary to remove the same, or shall not place such waggon, wain, or other carriage during the time of loading or unloading the same, or of taking refreshment, as near to one side of the road as conveniently may be, either with or without any horse or beast of draught harnessed or yoked thereto; or shall lay any timber, stone, hay, straw, dung, manure, soil, ashes, rubbish, or other matter or thing whatsoever upon such road, or on the side or sides thereof, or the footpaths or causeways adjoining, to the prejudice of such road or footways, or to the prejudice, annoyance, interruption, or personal danger of any person travelling thereon; or shall suffer any water, filth, dirt, or other offensive matter or thing whatsoever, to run or flow into or upon such road or footpaths, from any house, building, erection, lands, or premises adjacent thereto; or if any person driving any pigs or swine upon such road shall suffer such pigs or swine to root up or damage such road, or the fences, hedges, banks, or copse on either side thereof respectively; or if any person shall after having blocked or stopped any cart, waggon, or other carriage in going up a hill or rising ground, cause or suffer to be or remain on such road the stone or other thing with which such cart or other carriage shall have been blocked or stopped; or if any person shall pull down, damage, injure, or destroy any lamp or lamp-post put up, erected, or placed in or near the side of any turnpike road or toll-house erected thereon, or shall extinguish the light of any such lamp, every person offending in any of the cases aforesaid shall for each and every such offence forfeit and pay any sum not exceeding 40*s.*, over and above the damages occasioned thereby, 3 G. 4. c. 126. s. 121. [See as to assessing these damages, 4 G. 4. c. 95. s. 69. *post*, *pl.* 206.]

124. If any horse, ass, sheep, swine, or other beast or cattle of any kind, shall at any time be found wandering, straying, or lying about any turnpike road, or across any part thereof, or by the sides thereof (except on such parts of any road as lead or pass through or over any common or waste, or uninclosed ground), it shall be lawful for any surveyor of the road where the same shall be found, or any other person whomsoever, to seize and impound every such horse, ass, sheep, swine, or other beast or cattle, in the common pound of the parish, township, tithing, or place where the same shall be, or in such other place as the trustees or commissioners of the road where the same shall be found shall have provided for that purpose; and the said horse, ass, sheep, swine, or other beast or cattle there to detain until the owner thereof shall for every horse, ass, sheep, swine, or other beast or cattle so impounded, pay the sum of 5*s.* to the person impounding the same, together with the reasonable charges of impounding and keeping the same; and in case the said penalty, charges, and expences shall not be paid within four days after such impounding, it shall be lawful for the surveyor of the road on which the same shall have been seized, to sell or cause to be sold every such horse, ass, sheep, swine, or other beast or cattle; and the money arising from such sale, after deducting the said penalty, and charges and expences of impounding, keeping, and selling every such horse, ass, sheep or swine, or other beast or cattle, shall be paid to the person whose property the same so sold shall appear to have been, 3 G. 4. c. 126. s. 122. [Recited and *REP.* 4 G. 4. c. 95. s. 74. See new provision, 4 G. 4. c. 95. s. 75. *post*, *pl.* 210.]

125. In case any person shall release, or attempt to release, any cow, horse, ass, swine, or other live stock or cattle which shall be seized for the purpose of being impounded under this act, from the pound or place where the same shall be so impounded, or shall pull down, damage, or destroy the same pound or place, or any part thereof, or any lock or bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release any distress or levy which shall be made under this act, until or before such cow, horse, ass, swine, or other live stock or cattle seized or so impounded, or such distress or levy so made shall be discharged by due course of law, every person so offending shall, upon conviction thereof before any one of H. M.'s justices of the peace for the county or place where the offence shall have been committed, either upon confession of the party or parties offending, or upon the oath of one witness, and which oath the said justice is hereby authorized to administer, be committed by such justice, by warrant under his hand and seal, to the

common gaol or house of correction of such of the said counties wherein the said offence shall have been committed, there to remain without bail or mainprize for any time not exceeding three calendar months, 3 G. 4. c. 126. s. 125.

126. And whereas doubts may arise as to what is to be deemed the road, or the centre of the road; be it therefore enacted, That where, in this or any other act of parliament relating to turnpike roads, any matter or thing is directed or forbidden to be done within a certain distance of the centre of the road, that portion of ground shall be deemed and taken to be the road which has been maintained by the trustees or commissioners as hard road, and repaired with stones, gravel, or other materials used in forming roads, for six months immediately preceding any offence committed against such regulation; and the centre of the road shall be the middle of such hard road, where a line being drawn along the road or a point marked, an equal number of feet of hard road which have been so maintained and repaired as aforesaid for six months before, shall be found on each side of such line or mark: provided, that nothing herein contained shall authorize any person to inclose or make any encroachment on any waste lands or grounds lying on the side of any turnpike road, being part of the highway, and over which the King's subjects have been used and accustomed to pass; but every person who shall inclose such waste lands and grounds, or obstruct the right of passage over the same, shall continue and be subject to the same process and penalties as if this act had not been made, 3 G. 4. c. 126. s. 124.

127. No door or gate of any building, park, paddock, field, or inclosure whatsoever, shall be made to open into or towards any part of any turnpike road, or of any footpath belonging thereto, or be suffered to continue so to open, except the hanging-post thereof shall be fixed or placed so far from the centre of any part of such turnpike road, as that no part of such door or gate shall, when open, project over any part of such turnpike road, or any footpaths belonging thereto; and the occupier or occupiers of any building, park, paddock, field, or inclosure having any door or gate opening outwards, contrary to the meaning of this act, shall, within 14 days after notice to him, her, or them given, either personally or in writing, from the surveyor of any turnpike road, cause such door or gate to be hung so that no part of the same, when open, shall project over any part of such turnpike road, or any footpath belonging thereto; and in default thereof, the surveyor of the said turnpike road is hereby authorized to cause the door or gate to be hung according to the intention of this act; and the person guilty of such neglect or default shall, upon complaint made to any justice or justices of peace acting in and for the county or place where such neglect shall appear, and upon conviction upon the oath of one credible witness, pay to such surveyor such sum as the said justice or justices shall direct, to defray the expence of making the alteration and hanging such door or gate, and shall also forfeit and pay a further sum not exceeding 40s. for his, her, or their neglect therein, to be fixed by and at the discretion of the justice or justices before whom such conviction shall be made, 3 G. 4. c. 126. s. 125.

128. It shall be lawful to and for the trustees or commissioners of every turnpike road, at any meeting to be held for that purpose, on 10 days' notice in writing of such meeting being affixed upon the turnpike-gates on the road, and they are hereby authorized from time to time as they shall think fit, to order and direct that in all cases where any waggon or cart shall descend any hill or hills on the said road with either of the wheels locked, a skid-pan or slipper shall be used or placed at the bottom of such wheel during the whole time of its being so locked, in such manner as to prevent the said road from being destroyed or injured by the locking of such wheel; and that it shall be lawful for the said trustees or commissioners from time to time to repeal, alter, or renew such order as they shall think necessary; and that whilst any such order so to be made as aforesaid shall be in force, every person who shall drive or act as the driver of any waggon or cart down any hill with either of the wheels locked, and without using or having such skid-pan or slipper at the bottom of such wheel in manner aforesaid, shall for every such offence forfeit and pay any sum not exceeding 20s.: provided, that a copy of such order shall be affixed on all the turnpikes standing on such road for 30 days at least before the same shall be in force, 3 G. 4. c. 126. s. 126.

129. No person shall hereafter erect or cause any windmill to be erected within the distance of 200 yards from any part of any turnpike road, under the penalty of 5*l.* for every day such windmill shall continue: provided that nothing herein contained shall be construed to render legal the re-erection or continuance of any windmill in any case where by the common law such windmill shall be a public or private nuisance, 3 G. 4. c. 126. s. 127.

130. If any person whatsoever shall wilfully or maliciously pull down, pluck up, throw down, level, or otherwise destroy or damage any turnpike-gate, or any chain, rail, post, or bar, or other fence or fences belonging to any turnpike-gate, or any other chain, bar, or fence of any

kind whatsoever, set up or erected, or hereafter to be set up or erected, to prevent passengers passing by without paying any toll directed to be paid by any act of parliament relating thereto, or any house or houses erected or to be erected for the use of any such turnpike-gate or turnpike-gates, or any weighing-engine; or shall forcibly rescue any person or persons being lawfully in custody of any officer or other person for any of the offences before mentioned; that then and in any of the said cases, every person so offending, being thereof lawfully convicted, shall be adjudged guilty of felony, and be transported to one of H. M.'s plantations abroad for seven years, or in mitigation thereof shall suffer such other punishment as the court may direct, as in cases of petit larceny, 3 G. 4. c. 126. s. 128.

131. And for the better discovery of offenders, be it enacted, That the owner or owners of every waggon, wain, or cart, and also of every coach, post-chaise, or other carriage, let either in the whole or in part to hire, shall paint or cause to be painted in a straight line, upon some conspicuous part of his waggon, wain, or cart, or upon the shafts thereof, and upon the pannels of the doors of all such coaches, post-chaises, or other carriages, before the same shall be used upon any turnpike road, his, her, or their christian and surname, and the place of his, her, or their abode, or the christian and surname and place of abode of the principal partner or owner thereof, in large legible letters not less than half an inch in height, and continue the same thereupon so long as such waggon, cart, coach, post-chaise, or other carriage shall be used upon any such turnpike road; and the owner of every common stage-waggon or cart employed in travelling stages from town to town, shall, over and above his or her christian and surname, paint or cause to be painted on the part, and in the manner aforesaid, the following words, "common stage waggon" [or cart, as the case may be]; and every owner or proprietor of any such waggon, cart, wain, coach, post-chaise or other carriage as aforesaid, using or allowing the same to be used upon any turnpike road without the names and descriptions painted thereon respectively as aforesaid, or who shall paint or cause to be painted any false or fictitious name or place of abode on such waggon, wain, cart, coach, post-chaise, or other carriage, shall forfeit and pay for every such offence a sum not exceeding 5*l.*, 3 G. 4. c. 126. s. 129. [Recited and REP. 4 G. 4. c. 95. s. 14.; see new provision, 4 G. 4. c. 95. s. 15. post, pl. 163.]

132. It shall be lawful for any one person to act as the driver of two carts on any turnpike road, and for such carts to pass and travel on any turnpike road, being only under the care and superintendence of such single person: provided, that such carts when under the care of only one person shall not be drawn by more than one horse each, and the horse of the hinder cart shall be attached by a rein or reins to the back of the cart which shall be foremost, and in case the said horse shall not be so attached, the driver of the said carts shall forfeit the sum of 20s. to be recovered as other penalties are by this act to be recovered: provided also, that this enactment shall not extend to carts travelling on any turnpike road within 10 miles from the cities of London or Westminster, 3 G. 4. c. 126. s. 130.

133. And whereas numbers of carts and waggons, and frequently more than one, are intrusted to the care of children, who are unable to guide the horses drawing the same; be it therefore enacted, That no cart or waggon travelling on any turnpike road, shall be driven by any person who shall not be of the full age of 13 years, under a penalty not exceeding 10 shillings, to be paid by the owner of such cart or waggon, 3 G. 4. c. 126. s. 131.

134. And whereas many accidents happen, and great mischiefs are frequently done, upon streets and highways, being turnpike roads, by the negligence or wilful misbehaviour of persons driving carriages thereon; be it therefore enacted, That if the driver of any waggon or cart of any kind shall ride upon any such carriages in any turnpike road, not having some other person on foot or on horseback to guide the same, (such light carts as are usually driven with reins, and are then conducted by some person holding the reins of the horse or horses, not being more than two, drawing the same, excepted), or if the driver of any carriage whatsoever on any part of any turnpike road shall, by negligence or wilful misbehaviour, cause any hurt or damage to any person or carriage passing or being upon such road, or shall quit the road and go on the other side the hedge or fence inclosing the same, or wilfully be at such distance from such carriage, or in such a situation whilst it shall be passing upon such turnpike road that he cannot have the direction and government of the horses or cattle drawing the same; or if any person shall drive, or act as the driver of any such coach, post-chaise, or other carriage let for hire, or waggon, wain, or cart, not having the owner's name as hereby required painted thereon, or shall refuse to discover the true christian and surname of the owner or principal owners of such respective carriage; or if the driver of any waggon, cart, coach, or other carriage whatsoever, meeting any other carriage, shall not keep his or her carriage on the left or near side of the road, or if any person shall in any manner wilfully prevent any other person or persons from passing him or her, or any carriage under his or her care upon such road, or by

negligence or misbehaviour prevent, hinder, or interrupt the free passage of any carriage, or of H. M.'s subjects, on any turnpike road, every such driver so offending in any of the cases aforesaid, and being convicted of any such offence, either by his own confession, the view of a justice of the peace, or by the oath of one or more credible witness or witnesses before any justice of the peace of the limit where such offence shall be committed, or where such offender shall be apprehended, shall for every such offence forfeit any sum not exceeding 40s. in case such driver shall not be the owner of such carriage; and in case the offender be the owner of such carriage, then any sum not exceeding 5*l.*; and in either of the said cases shall, in default of payment, be committed to the house of correction for any time not exceeding one month, unless such forfeiture shall be sooner paid; and every such driver offending in either of the said cases shall and may, by the authority of this act, with or without any warrant, be apprehended by any person or persons who shall see such offence committed, and shall be conveyed before some justice of the peace, to be dealt with according to law; and if any such driver in any of the cases aforesaid, shall refuse to discover his name, it shall and may be lawful for the justice of the peace before whom he shall be taken, or to whom any such complaint shall be made, to commit him to the house of correction for any time not exceeding three months, or to proceed against him for the penalty aforesaid, by a description of his person and the offence only, without adding any name or designation, but expressing in the proceeding that he refused to discover his name, 3 G. 4. c. 126. s. 132.

135. The trustees or commissioners of any turnpike road, at a public meeting, may and they are hereby empowered, if they think fit, to direct prosecutions by indictment, or otherwise, against the offender or offenders for any nuisance or other offence done, committed, or continued in or upon any of the turnpike roads under their care respectively, or to recover any penalty or forfeiture incurred under the provisions of this or any other turnpike act, at the expence of the revenues belonging to such turnpike roads, to be allowed by such trustees or commissioners at some subsequent meeting, 3 G. 4. c. 126. s. 133.

136. In all cases where any action shall be brought by or against any trustee or trustees, or commissioner or commissioners of any turnpike road, evidence of such trustee or trustees, commissioner or commissioners, having acted as such, together with the act of parliament by which he or they was or were appointed, or the order or a copy of the order for his or their appointment or election, in case he or they was or were appointed or elected by the trustees or commissioners, shall be sufficient proof of his or their being a trustee or trustees, commissioner or commissioners, 3 G. 4. c. 126. s. 134.

137. Provided, that when any sum of money shall be directed or ordered to be paid by any justice of the peace, in pursuance of the directions of any act relating to turnpike roads, by way of compensation or satisfaction for any materials, costs, damages, spoil, or injury of any nature or kind whatsoever, done or committed by the said trustees or commissioners, or any person or persons acting by or under their authority, and such sum shall not be paid by the said trustees or commissioners, to the parties entitled to receive the same, within 14 days after demand in writing shall have been made, stating the order of such justice or justices, from the clerk to the said trustees or commissioners, or their treasurer, in pursuance of the direction or order made by such justice or justices, then the amount of such compensation shall be levied and recovered by distress and sale of the goods and chattels vested in the said trustees or commissioners by virtue of any such act, under a warrant to be issued for that purpose by such justice of the peace, which warrant any such justice is hereby authorized to grant under his hand and seal, on application made to him for that purpose by the parties entitled to receive such sum for any such materials, costs, damages, spoil, or injury as aforesaid; and in case any overplus shall remain after payment of such sum, and the costs and expences of hearing and determining the matter in dispute, and also the costs and expences of such distress and sale, then such overplus shall be returned on demand to the said trustees or commissioners, or to their treasurer for the time being, as the case may be, 3 G. 4. c. 126. s. 135. [Recited and REP. 4 G. 4. c. 95. s. 70.; and see new provision, 4 G. 4. c. 95. s. 71. post, pl. 207.]

138. Every constable, headborough, or tithingman refusing or neglecting to put this act into execution, or to account for and deliver any forfeiture or penalty according to the directions of this act, and every surveyor of any turnpike road, and every toll-collector, and all other persons employed or to be employed by any trustees or commissioners appointed or to be appointed for the repairing roads, who do or shall receive salaries or rewards, who shall wilfully neglect, for the space of one week after any offence being to their knowledge committed, to lay such information upon oath before one or more of H. M.'s justices of the peace for the limit wherein such offence was committed, as by this act is directed, shall, upon due information made upon oath before one of H. M.'s justices of the peace for the said limit, forfeit for every such neglect the sum of 5*l.*, 3 G. 4. c. 126. s. 136.

139. Provided, that no conviction shall be made by virtue of this act, unless upon the view of a justice convicting, or on confession of the party accused, or upon the oath of one witness, and that any inhabitant of any parish, township, or place in which any offence shall be committed contrary to this act, shall not be deemed an incompetent witness by reason of his or her being an inhabitant of such parish, township, or place; and that any justice of the peace may act in the execution of this act, notwithstanding he may be a creditor, or a trustee or commissioner for making, repairing, and maintaining the roads on which any offence contrary to this act shall be committed, 3 G. 4. c. 126. s. 137. [Trustees may be witnesses, 4 G. 4. c. 95. s. 84. post, pl. 218.]

140. If any person after having been paid or tendered a reasonable sum of money for his costs, charges, and expences, shall be summoned as a witness to give evidence before any justices of the peace, touching any matter of fact contained in any information or complaint for any offence against any act relating to turnpike roads or this act, either on the part of the prosecutor or the person accused, shall refuse or neglect to appear at the time and place for that purpose appointed, without a reasonable excuse for his, her, or their refusal or neglect, or appearing shall (after having been paid or tendered a reasonable sum for his costs, charges, and expences) refuse to be examined upon oath, and give evidence before such justice of the peace, then such person shall forfeit for every such offence any sum not exceeding 40s., 3 G. 4. c. 126. s. 138.

141. In case any person shall resist or make forcible opposition against any person employed in the due execution of this act, or any particular act made for amending any turnpike road, or shall assault any surveyor, or any collector of the tolls, in the execution of his office, or shall pass through any turnpike-gate, rail, chain, or other fence or fences set up or to be set up by authority of parliament, without paying the toll appointed to be paid at such gate or other fence, or shall hinder or make any rescue of cattle or other goods distrained by virtue of this act, every such person offending therein shall for every such offence forfeit any sum not exceeding 10*l.*, at the discretion of the justice or justices before whom he or she shall be convicted, 3 G. 4. c. 126. s. 139.

142. Whereas offences may be committed against this act, or other acts for repairing and maintaining turnpike roads, by persons unknown to the collectors or other officers; be it therefore enacted, That it shall be lawful for any of the trustees or commissioners of any turnpike road, or their clerk, or collectors, surveyors, or other officers respectively, and such other person as he or they shall call to his or their assistance, without any warrant or other authority than this act, to seize and detain any unknown person who shall commit any such offence or offences, and take him before any justice of the peace for the county, district, or place near to the place where the offence or offences shall be committed, or such offender shall be apprehended; and such justice and justices shall, and is and are hereby required to proceed and act with respect to such offender, according to the provisions of this or any other acts for repairing turnpike roads, 3 G. 4. c. 126. s. 140.

143. All penalties, forfeitures, and fines [by this act inflicted or authorized to be imposed (the manner of levying and recovering and applying whereof is not herein otherwise directed), shall upon proof and conviction of the offences respectively, before any justice of the peace for the county, riding, or place where the offence shall have been committed (as the case may require), either by the confession of the party offending, or by the oath of any credible witness (which oath such justice is in every such case hereby fully authorized to administer), be levied, together with the costs attending the information and conviction, by distress and sale of the goods and chattels of the party offending, by warrant under the hand and seal of such justice (which warrant such justice is hereby empowered and required to grant), and the overplus (if any) after such penalties, forfeitures, and fines, and the charges of such distress and sale, are deducted, shall be returned, upon demand, unto the owner of such goods and chattels; and in case such fines, penalties, and forfeitures shall not be forthwith paid upon conviction, then it shall be lawful for such justice to order the offender so convicted to be detained and kept in safe custody until return can be conveniently made to such warrant of distress, unless the offender shall give sufficient security, to the satisfaction of such justice, for his appearance before such justice, on such day as shall be appointed for the return of such warrant of distress, such day not being more than seven days from the time of taking any such security, and which security the said justice is hereby empowered to take, by way of recognizance or otherwise; but if upon the return of such warrant it shall appear that no sufficient distress can be had thereupon, then it shall be lawful for any such justice of the peace as aforesaid, and he is hereby authorized and required, by warrant under his hand and seal, to cause such offender to be committed to the common gaol or house of correction of the county, riding, or place where the offender shall be or reside, there to remain, without bail or mainprize, for any time not exceeding three calendar months, unless such penalties, forfeitures, and fines, and all reasonable charges attending the same, shall be sooner paid; and the monies arising by such penalties,

forfeitures, and fines respectively, when paid or levied, if not otherwise directed to be applied by this act, shall be from time to time paid one moiety thereof to the informer or person suing for and recovering the same, and the other to the treasurer to the trustees or commissioners for repairing and maintaining the road on which such offence shall have been committed, and applied and disposed of for the purposes of such road and of this act, 3 G. 4. c. 126. s. 141. [See 4 G. 4. c. 95. ss. 83, 84. *post*, *pl.* 217, 218.]

144. Provided, it shall be lawful for any justice or justices before whom any person shall be convicted of any offence against this act, or any turnpike act, if he or they shall think proper, to mitigate or reduce the penalty incurred by such person, so as such reduction or mitigation do not exceed two-thirds of the penalty to which such person would be liable under this or any other act, 3 G. 4. c. 126. s. 142. [Recited and REP. 4 G. 4. c. 95. s. 85.]

145. Every prosecutor or informer shall sue for and recover any forfeiture or penalty imposed by this or any other act of parliament made for erecting turnpikes, or for repairing and amending turnpike roads, in the manner herein-after mentioned; (that is to say), if the same shall exceed the sum of 20*l.* or upwards, it shall be recoverable by action of debt in any of H. M.'s courts of record, in which it shall be sufficient to declare that the defendant is indebted to the plaintiff in the sum of—, being forfeited by an act passed in the third year of the reign of H. M. King George the Fourth, intituled, *An Act [here set forth the title of this act, if the offence shall be committed under it, or, An Act, &c. setting out the title of the act under which the penalty shall be claimed]*; and the plaintiff, if he recover in any such action, shall have full costs, provided that there shall not be more than one recovery for the same offence, and that 21 days' notice be given to the party offending, previous to the commencement of such action, and that the same be brought and commenced within three calendar months after the offence for which such action is brought shall have been committed; and if such penalty or forfeiture shall not exceed the sum of 20*l.*, and shall be more than 5*l.*, the same shall be recoverable only by information before a justice of the peace, subject to appeal in manner herein-after mentioned; and if such penalty or forfeiture shall not exceed the sum of 5*l.*, the same shall in like manner be recoverable only by information before a justice of the peace, and no writ of certiorari to remove the same shall be allowed, 3 G. 4. c. 126. s. 143.

146. Where any distress shall be made for any sum of money to be levied by virtue of this act, or any other act for repairing, amending, or maintaining any turnpike road, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any default or want of form in any proceeding relating thereto; nor shall the party distraining be deemed a trespasser *ab initio*, on account of any irregularity which shall be afterwards done in making the distress; but the person aggrieved by such irregularity, may recover the satisfaction for the special damage in an action on the case: provided, that no plaintiff shall recover in any action for such irregularity, trespass, or wrongful proceedings, if tender of sufficient amends shall be made by or on behalf of the party who shall have committed or caused to be committed any such irregularity or wrongful proceedings, before such action brought; and in case no such tender shall have been made, it shall be lawful for the defendant in any such action, by leave of the court where such action shall depend, at any time before issue joined, to pay into court such sum of money as he or they shall see fit; whereupon such proceedings, or orders and judgments, shall be had, made, and given in and by such court as in other actions where the defendant is allowed to pay money into court, 3 G. 4. c. 126. s. 144.

147. Provided, that if any person shall think himself aggrieved by any thing done by any justice or justices of the peace in pursuance of this act, except under the particular circumstances herein-after mentioned, and for which no particular method of relief hath been already appointed, such person, in case the penalty or forfeiture shall exceed the sum of 40*s.*, where the appeal is to be against a conviction for a penalty or forfeiture, may appeal to the justices of the peace at the next general quarter sessions of the peace to be held for the limit wherein the cause of such complaint shall arise, such appellant first giving to such justice, by whose act such person shall think himself aggrieved, notice in writing of his intention to bring such appeal, and of the matter thereof, within six days after the cause of such complaint arose, and within four days after such notice entering into recognizances before some justice of the peace, with two sufficient sureties, conditioned to try such appeal at, and abide the order of, and pay such costs as shall be awarded by the justices at such quarter sessions, and also to pay the penalty or forfeiture, in case the conviction should be affirmed; and every justice of the peace, having received notice of such appeal as aforesaid, shall return all proceedings whatever had before him respectively, touching the matter of such appeal, to the said justices at their general quarter sessions aforesaid, on pain of forfeiting 50*l.* for every such neglect; and the said justices at such session, upon due proof of such notice having

been given as aforesaid, and of such recognizance having been entered into in manner before directed, shall hear and finally determine the causes and matters of such appeal in a summary way, and award such costs to the parties appealing or appealed against, as they the said justices shall think proper, to be levied and recovered as herein-before directed, and the determination of such quarter sessions shall be final and conclusive; and no proceeding to be had or taken in pursuance of this act shall be quashed or vacated for want of form, or removed by certiorari, or any other writ or process whatsoever, into any of H. M.'s courts of record at *Westminster*: provided, that in case there shall not be time to give such notice, and enter into such recognizances as aforesaid, before the next sessions to be holden after the conviction of the appellant, then such appeal may be made to the next following sessions, and shall be there heard and determined, 3 G. 4. c. 126. s. 145. [Recited and REP. 4 G. 4. c. 95. s. 86. See NEW PROVISION, 4 G. 4. c. 95. s. 87. *post*, *pl.* 219.]

148. Where any oath or affirmation is by this or any act relating to any turnpike road required and directed to be made or taken, the justices of the peace of any county or place, or the trustees or commissioners of any turnpike road (as the case may be), and according to the several jurisdictions herein given to them respectively as aforesaid, shall and they are hereby respectively empowered to administer the same, 3 G. 4. c. 126. s. 146.

149. If any action or suit shall be commenced against any person for any thing done in pursuance of this act, then such action or suit shall be commenced within three months after the fact committed, and the same shall be brought in the county or place where the cause of action shall have arisen, and not elsewhere; and the defendant in every such action or suit may plead the general issue, and at the trial thereof give this act and the special matter in evidence; and if the matter complained of shall appear to have been done under the authority and in execution of this act, or if any such action or suit shall be brought after the time limited, or be brought and laid in any other county or place than as afore-mentioned, then the jury shall find for the defendant, and if the plaintiff shall become nonsuit, or discontinue his action after the defendant shall have appeared, or have a verdict against him or her, or if upon demurrer, judgment shall be given against the plaintiff, the defendant shall recover treble costs, and have the like remedy for recovery thereof as any defendant hath in any cases by law, 3 G. 4. c. 126. s. 147.

150. The forms of proceeding relative to the several matters contained in this act, which are set forth and expressed in the schedule hereunto annexed, may be used upon all occasions, with such additions and variations only as may be necessary to adapt them to the particular exigencies of the case, and that no objection shall be made or advantage taken for want of form in any such proceedings by any person whomsoever, 3 G. 4. c. 126. s. 148. [The 3 G. 4. c. 126. s. 149. is similar to 4 G. 4. c. 95. s. 92. which see *post*, *pl.* 224.]

151. Provided, that nothing herein contained shall be deemed to extend to 56 G. 3. c. lxxxiii., intituled, *An Act for improving the road from the city of Glasgow to the city of Carlisle*, or to three several acts amending the same, passed in the 58th and 59th years of the reign of His said late Majesty, and in the first and second years of the reign of His present Majesty, 3 G. 4. c. 126. s. 150. [See 4 G. 4. c. 95. s. 93. *post*, *pl.* 225.]

152. All persons concerned or interested in any bill for making or repairing any turnpike road, or for widening or diverting such road, may signify their consent to the same by affidavit, taken and authenticated according to the form herein-after prescribed, unless the committee of either House of Parliament to whom such bill, or the petition of such bill, shall be referred, shall otherwise order, 3 G. 4. c. 126. s. 151.

153. It shall be lawful for any one or more justice or justices of the peace, or master or masters extraordinary in chancery, to take affidavits on oath or affirmation (which oath or affirmation such justice or master is hereby authorized and empowered to administer) of the answers that may be given by the owners and occupiers of lands, on applications made to them for their consent to such bills; and every affidavit shall be in the form following, as near as the circumstances of the case will admit:

'A. B. of—maketh oath, and saith, that he did apply to C. D., who he believes to be the owner of [set out the property] being part of the lands through which the intended turnpike road from E. to F. is to be carried, or the alteration to be made [as the case may be], and that he received from such owners the answers set forth in the paper hereunto annexed.

(Signed)

A. B.

Sworn [or, solemnly affirmed], before me [as in the other forms herein-before set forth.] As witness my hand and seal.'

And no such affidavit as aforesaid shall be subject to any stamp-duty now payable by any act of parliament, or which shall hereafter be imposed, unless specially named and made subject thereto by the act imposing the same, 3 G. 4. c. 126. s. 152.

154. Provided, that proof of the hand-writing of any justice of the peace, or master extraordinary in chancery, before whom any such affidavit shall be made as aforesaid, shall be sufficient evidence of the signature of such justice or master before any committee of either house of parliament, without any witness being produced who was present at the time when such affidavit was made, and without a witness being produced to prove that such justice or master, before whom such affidavit was made, was at the time of making such affidavit a justice or master extraordinary in chancery, 3 G. 4. c. 126. s. 153.

155. From and after the 1st Jan. 1826, the several nails of the tire or tires of the wheels of every waggon, wain, cart, or other such carriage used or drawn on any turnpike road, shall be so countersunk as not to project beyond one-quarter of an inch above any part of the surface of such tire or tires; and if any waggon, cart, or other such carriage shall, from and after the 1st Jan. 1826, be drawn or used on any turnpike road, with any wheel or wheels made, constructed, or being otherwise than as herein-before last described, the owner or owners thereof shall forfeit any sum not exceeding 40s., and every driver thereof any sum not exceeding 20s., for each and every time that such waggon, cart, or other such carriage shall be used or drawn on any turnpike road, 4 G. 4. c. 95. s. 2.

156. Where the trustees or commissioners of any turnpike road shall not, previously to the passing of the said act, have taken and collected on the road under their care, the additional tolls on waggons, wains, carts, or carriages having the wheels thereof of less breadth or gauge than six inches from side to side at the bottom or sole thereof, and on the horses or beasts drawing the same, directed to be taken and collected by 13 G. 3. c. 84. and the local acts, in execution whereof the said trustees or commissioners shall act, shall not have provided a scale of tolls applicable to the road under their care, such trustees or commissioners shall, after the 1st Jan. 1824, continue to take, collect, and receive, for every waggon, wain, cart, or other such carriage having the fellys of the wheels thereof of less breadth or gauge than four and a half inches from side to side at the bottom or sole thereof, or for the horses or beasts drawing the same, the same tolls as are in and by such local acts payable in respect of such carriages; and for every waggon, wain, cart, or other such carriage having the fellys of the wheels thereof of the breadth or gauge of four and a half inches, and less than six inches at the bottoms or soles thereof, or for the horses or beasts drawing the same, one-sixth less than the tolls which are or shall be payable for the same; and for every waggon, wain, cart, or other such carriage having the fellys of the wheels thereof of the breadth of six inches or upwards at the bottoms or soles thereof, or for the horse or horses drawing the same, one-third less than the tolls which are or shall be payable for the same by any turnpike act or acts, 4 G. 4. c. 95. s. 5.

157. Where any particular turnpike act or acts shall direct an higher or lower rate of toll to be collected and taken on any waggon, wain, cart, or other such carriage, or on the horse or horses drawing the same, regulated by or in respect of the greater or lesser breadth of the wheels of such waggon, &c. and where, in addition to the tolls received under such particular act or acts, the additional tolls in respect of the breadth of wheels authorized to be taken by the 13 G. 3. c. 84., shall not have been collected and imposed, it shall be lawful for the trustees or commissioners acting in execution of any such particular act or acts, from and after the 1st Jan. 1824, to continue to collect the tolls directed to be taken under the powers of such act or acts, in execution whereof they shall act, and they shall not impose the additional tolls authorized and required to be levied by the said recited act on waggons, wains, carts, or other such carriages having the fellys of the wheels thereof of less breadth than six inches, 4 G. 4. c. 95. s. 6.

159. Provided, that in every case where the tolls authorized to be taken on any turnpike road shall be in the hands of the trustees or commissioners thereof, and not let to farm, but collected on their account, such trustees or commissioners shall, in case such tolls were increased by the provisions of the said recited act, within 14 days after the passing of this act [19th July 1823], reduce the said tolls, and fix the amount thereof according to the provisions of this act; and in case the tolls collected on any turnpike road shall be let to farm, it shall be lawful for such trustees or commissioners to compound with the lessee for reducing the same, and fixing the amount thereof according to this act; and in each of the said cases the provisions of this act with regard to tolls herein-before next mentioned shall then commence and take effect at the time of such reduction, and shall not be postponed to the said 1st Jan. 1824, 4 G. 4. c. 95. s. 7.

159. And whereas many persons may at the time of passing this act [19th July 1823] be farmers or contractors for the tolls arising or payable on turnpike roads, and for tolls and penalties for overweight, and whose contracts will not expire until after the 1st Jan. 1824; for remedy whereof, and for protection of such lessees or contractors, be it enacted, That in case any lessee or lessees, farmer or farmers, con-

tractor or contractors for any toll or tolls arising or payable on any turnpike road, or for any tolls and penalties for overweight, payable to any trustees or commissioners appointed by virtue of any act of parliament for making, repairing, or amending turnpike roads, whose contract will not expire until after the 1st Jan. 1824, shall, by reason of this act, be desirous of being discharged from his, her, or their contract or contracts, so far as regards such tolls arising and payable on any turnpike road, on any tolls and penalties for overweight, and of such his, her, or their desire, shall, on or before the 1st Sept. 1823, give notice in writing to the treasurer or clerk of any such trustees or commissioners, then and in every such case all such farmers, lessees, or contractors, shall, from and after the said 1st Jan. 1824, be released and discharged from their respective contracts, so far as the same relate to such tolls arising and payable on any turnpike road, or to such tolls or penalties for overweight; and all and every such contracts shall thenceforth cease and be null and void as to the residue of the term or time then to come and unexpired therein, so far as such contracts relate to such tolls arising and payable on any turnpike road, or to such tolls and penalties for overweight, any thing in such leases or agreements to the contrary notwithstanding, 4 G. 4. c. 95. s. 8.

160. Provided, that in case any such lessee, farmer, or contractor, shall give such notice of determining his contract as in s. 8. *pl. 159.* mentioned, then it shall be lawful for such trustees or commissioners, if they think fit, to make any new contract with such lessee, farmer, or contractor, or to make any compensation to him in respect of such tolls payable on any turnpike road, or of the said tolls or penalties for overweight, or to cause the said tolls, and the tolls or penalties for overweight to be re-let on a day and at a place to be by them appointed, of which one month's notice shall be given, and thereupon to proceed to re-let the same, and to re-let the same for the best price they may be enabled to obtain for the same, without being compelled to put up the said tolls arising and payable on such road, or the said tolls or penalties for overweight, at the sum at which they last let, or to have any other meeting for the letting thereof, 4 G. 4. c. 95. s. 9.

161. No person shall by virtue of the said act, or this or any other act, have the benefit of any exemption from toll or penalties for overweight, or to pay less toll for any waggon, wain, cart, or other carriage, or the horses or beasts drawing the same, and carrying any particular kind of goods, than other carriages of the like nature carrying other goods ought to pay, unless such waggon, wain, cart, or other carriage, in respect of which the exemption shall be claimed, shall have the sole of the bottom of the fellys of the wheels thereof of the breadth or gauge of four and half inches or upwards (other than and except carts and carriages employed in carrying corn or grain in the straw, hay, straw, fodder, dung, or lime for the improvement of land, or other manure, or any plough, harrow, or implements of husbandry only), but that the tolls imposed by any act, together with the additional tolls required to be taken for every such waggon, wain, cart, or other carriage, having the sole or bottom of the fellys of the wheels thereof of less breadth or gauge than four and half inches as aforesaid, and for horses or beasts drawing the same; and the additional tolls or penalties for overweight (except as before excepted) shall be paid in the same manner as if no exemption or less toll had been allowed, and as fully as all other waggons, wains, carts, and carriages, and horses drawing the same, ought respectively to pay, which are not entitled to any exemption from toll in the whole or part, or to pay a less toll than other waggons, wains, carts, and carriages, 4 G. 4. c. 95. s. 10.

162. The trustees and commissioners of every turnpike road may from time to time, as they shall see convenient, compound and agree, for any term not exceeding one year at one time, with any person or persons, for the tolls payable for any horses, cattle, or beasts, or carriages, passing through any of the turnpikes or toll-gates of the road under their care and management, and collected and taken under the authority of the particular act or acts in execution of which such trustees or commissioners shall act, or of the said act or this act, 4 G. 4. c. 95. s. 15.

163. And for the better discovery of offenders, be it enacted, That the owners of every waggon, wain, or cart, or other such carriage, shall, after the 1st Oct. 1823, paint or cause to be painted in one or more straight line or lines upon some conspicuous part of the right or off-side of their waggon, wain, or cart, or other such carriage, or upon the off-side shafts thereof, before the same shall be used on any turnpike road, their christian and surname, and the place of their abode, or the christian and surname and place of abode of the principal partner or owner thereof, at full length, in large legible letters not less than one inch in height, and continue the same thereupon so long as such waggon, wain, cart, or other such carriage shall be used upon any turnpike road; and every owner and proprietor of any waggon, wain, or cart, or other carriage, who shall use or allow the same to be used on any turnpike road without the names and descriptions painted thereon as aforesaid, or who shall paint or cause to be painted any false or ficti-

tious name or place of abode on such waggon, wain, or cart, or other carriage, shall forfeit not exceeding 5*l.*, 4 *G. 4. c. 95. s. 15.*

164. If any waggon or cart, built or constructed to be and usually used on any railway or tramroad, shall be drawn or pass loaded on any turnpike road, out of and away from such railway or tramroad, for the distance of more than 100 yards, the owner or proprietor thereof shall forfeit 40*s.*, and the driver thereof, not being the owner, 20*s.* for every time such waggon or cart shall be so drawn and pass, 4 *G. 4. c. 95. s. 16.*

165. In case where any exemption from toll shall be claimed or allowed under the said act or this act, or any other turnpike act or acts, such exemption shall not extend to or be allowed for the additional tolls imposed by the said act, and directed to be taken for every hundred weight, of 112 lbs. to the hundred, which any waggon, cart, or other such carriage, together with the loading thereof, shall weigh at any weighing-engine, over and above the weights in the act allowed to each of them, unless the waggon, wain, cart, or other such carriage, in respect of which the exemption shall be claimed, shall likewise be by the said act or this or some other act or acts, specially exempted from such additional tolls for overweight: but in all cases (where not specially exempted) the said additional tolls shall be paid, and only the original toll allowed, 4 *G. 4. c. 95. s. 17.*

166. Nothing in the said act or this act relating to the breadth of wheels of carriages, or the regulations of weight, or to the tolls payable in respect of the wheels, or of the weight of carriages, shall extend to any chaise-marine, coach, landau, berlin, barouche, phaeton, sociable, chariot, calash, hearse, break, chaise, curricule, gig, chair, or taxed cart, or any cart not drawn by more than one horse or two oxen, 4 *G. 4. c. 95. s. 19.*

167. The trustees or commissioners of the turnpike roads within 10 miles of the cities of *London* and *Westminster*, and the borough of *Southwark*, are hereby empowered at any meeting to be held for the purpose (of which meeting, and the purposes thereof, 14 days' notice shall be given), to lower the several additional tolls by the said act directed to be taken for overweight, in such manner as to them shall seem fit, and from time to time to take such reduced tolls for overweight as shall be fixed on at such meeting or meetings, 4 *G. 4. c. 95. s. 20.* [See ante, 3 *G. 4. c. 126. s. 15. pl. 16.*]

168. The regulations of weight in the said act or this act mentioned [see 3 *G. 4. c. 126. s. 16. ante, pl. 17.*] shall not extend to any waggon, wain, cart, or other carriage carrying only one block, plate, roll, or vessel of iron or other metal, or compounded of any two or more metals cast, wrought, or united in one piece, 4 *G. 4. c. 95. s. 21.*

169. Nothing in the said act or this act shall extend to exempt any waggon, wain, cart, or other carriage laden with dung, compost, or manure for manuring land, or any horse or other beast drawing the same, from any toll imposed in respect thereof by any local turnpike act or acts, where in such act or acts such dung, compost, or manure shall be specially made subject to toll throughout the whole of such roads, without any local, parochial, or partial exemption, 4 *G. 4. c. 95. s. 23.*

170. No toll shall be demanded or taken by virtue of the said act or this act, or any other turnpike act or acts, for any horses or carriages attending or going to attend, or returning from having attended H. M., or any of the royal family, 4 *G. 4. c. 95. s. 24.*

171. Provided, that nothing herein, or in the said act contained, shall extend to repeal or take away any exemptions from toll which shall have been granted or allowed by any act for making or repairing any turnpike road, 4 *G. 4. c. 95. s. 26.*

172. The trustees and commissioners for making, &c. any turnpike road shall put up or cause to be put up, and afterwards to be continued, at every toll-gate within their respective districts, a table, painted in distinct and legible black letters, on a board with a white ground, containing at the top thereof the name of the gate at which the same shall be put up, and also a list of all the tolls payable at every such gate, distinguishing severally the total amount of tolls payable under any particular act, and this and the said act; and the different sorts of carriages for which they are to be paid, where there shall be any variation therein, and also a list of the several gates which shall be wholly or partially cleared by the payment of toll at the toll-gate or bar where such table of tolls shall be affixed; and the said trustees or commissioners shall also provide tickets denoting the payment of toll, and on such several tickets shall be specified the name of the gate at which the same respectively shall be delivered, and also the names of the several gates freed by such payment, one of which tickets shall be delivered *gratis* to the person paying the toll; and on the production of such ticket at any gate or gates therein mentioned, as being cleared as aforesaid, by the payment of the toll at the gate where such ticket was delivered, the person producing the same shall pass through the gate or gates therein mentioned without paying any further or additional toll, 4 *G. 4. c. 95. s. 28.* [See ante, 3 *G. 4. c. 126. s. 37. pl. 58.*]

173. Every toll-collector on every turnpike road shall place or cause to be placed on some conspicuous parts of the fronts of the several toll-houses at which they shall respectively be stationed, and so that the same shall appear to public view, their christian and surnames, painted in black on a board with a white ground, each of such letters of such names to be at least two inches in length, and of a breadth in proportion, and such board shall be and remain at such toll-house during the whole of the time that the person whose name shall be expressed thereon shall be on duty thereat; and if any collector shall not place such board and keep the same there, during the time he shall be such collector, or shall demand and take a greater or less toll from any person than he shall be authorized to do by virtue of any act, or of the orders and resolutions of the trustees or commissioners made in pursuance thereof, or shall demand and take a toll from any person or persons who shall be exempt from the payment thereof, and who shall claim such exemption, or shall refuse to permit any person or persons to read, or shall in any wise hinder any person or persons from reading the inscriptions on such board, or shall refuse to tell his christian and surname to any person or persons who shall demand the same, on being paid the said tolls, or shall in answer to such demand, give a false name or names, or shall refuse or omit to give to the person paying the toll a ticket denoting the payment of the tolls, and naming and specifying the toll-gate at which such ticket has been delivered, and the toll-gate or toll-gates (if any) freed by such payment, or upon the legal toll being paid or tendered, shall unnecessarily detain or wilfully obstruct, hinder, or prevent any passenger or passengers from passing through any turnpike or toll-gate, or shall make use of any scurrilous or abusive language to any trustee or commissioner, traveller or passenger, then and in every such case every such toll-collector shall forfeit not exceeding 5*l.* for every such offence, 4 *G. 4. c. 95. s. 30.*, [See ante, 3 *G. 4. c. 126. s. 53. pl. 54.*; and post, 4 *G. 4. c. 95. s. 50. pl. 189.*]

174. No collector or receiver of any tolls or penalties for overweight, residing in any house or building, erected or used by the trustees of any turnpike road, for the residence or accommodation of persons appointed for weighing any waggons or other carriages, and no apprentice or servant of any such collector or receiver, shall thereby gain a settlement in any parish or place; and no tolls or penalties for overweight to be taken at any house or weighing-machine erected or to be erected, or adjoining to any turnpike road, nor any person whatsoever in respect of such tolls or penalties, or any house or building as aforesaid, shall be rated towards the poor's rates, or any other public or parochial rate or levy whatsoever, 4 *G. 4. c. 95. s. 31.* [See 3 *G. 4. c. 126. s. 51. ante, pl. 52.*]

175. No person who shall, after the passing of this act, be chosen or appointed a trustee or a commissioner, under any act or acts for making or maintaining any turnpike road, shall act as such trustee or commissioner, unless he shall, before he shall act as such, (except in administering the oath or affirmation herein-after mentioned,) take and subscribe before one or more of the said trustees or commissioners, who are hereby empowered to administer the same, the oath or affirmation following; that is to say,

'I, *A. B.* do swear [or being one of the people called Quakers, do solemnly affirm] that I will truly and impartially, according to the best of my judgment, execute and perform the several powers, authorities, and trusts reposed in me as a trustee [or commissioner] by virtue of an act passed in the third year of the reign of H. M. King *George the Fourth*, intituled, *An Act to amend the general laws now in being for regulating turnpike roads in that part of G. B. called Eng.*; and also an act passed in the fourth year of the reign of His said Majesty, intituled [here set forth the title of this act]; and also an act passed in the — year of the reign of H. M. —, intituled, [here set forth the title of the act under which such trustee or commissioner shall claim to act. So help me God.] — [Or being a Quaker, omit the words 'So help me God.']

And if any such person shall act (except as aforesaid) before he shall have taken and subscribed the said oath or affirmation, every such person shall for every such offence forfeit 50*l.* with full costs of suit to any person who shall inform or sue for the same, in any court of record at *Westminster*, by action of debt, or on the case, bill, suit, or information, wherein no essoign, &c. and only one imparlance, shall be allowed: provided, that no act or proceeding touching the execution of 3 *G. 4. c. 126.*, or this act, or any act for making, &c. any turnpike road which shall be performed or done by any such person who shall have omitted or neglected to take and subscribe the said oath or affirmation, shall be thereby impeached; but all such proceedings shall be as valid as if such person had taken such oath or affirmation previously to his having acted as such trustee, &c. [See ante, 3 *G. 4. c. 126. s. 62. pl. 64.*], 4 *G. 4. c. 95. s. 32.*

176. If any person being a Quaker shall have been or shall hereafter be appointed or elected, by or under any act of parliament for making, repairing, or maintaining any turnpike road, a trustee or commissioner of such road, and shall be in other respects qualified according to the provisions of the 3 *G. 4. c. 126. s. 62. pl. 64.*, it shall be lawful for

such person on taking and subscribing the affirmations in the said recited act and this act contained, to act as a trustee or commissioner in execution of the act by or under which such person shall be appointed or elected without being subject or liable to any penalty or forfeiture by such act imposed for acting as a trustee or commissioner not having taken and subscribed the oaths therein contained, 4 G. 4. c. 95. s. 53.

177. Provided, that nothing in 3 G. 4. c. 126., or in this or any other act contained, shall extend so as to require any justice of peace acting for the county, to take or subscribe any oath of qualification [see 5 G. 4. c. 126. s. 62. *pl.* 64.], before he shall act as trustee in the execution of any turnpike act, 4 G. 4. c. 95. s. 54.

178. Where any persons shall, previously to the 1st Jan. 1823, have been duly qualified according to the provisions of, and taken the oath prescribed in that behalf by 13 G. 3. c. 84. [now repealed, 3 G. 4. c. 126. s. 1.], intituled, *An Act to explain, amend, and reduce into one act of parliament the general laws now in being for regulating turnpike roads in that part of G. B. called Eng., or for other purposes*, or have been duly qualified according to the provisions of, and taken the oaths prescribed by, any other act of parliament, for making, maintaining, or repairing any particular turnpike road previously to the said 1st Jan., and shall have been then acting as a trustee or commissioner in the execution of such act, it shall be lawful for such person to continue to act as a trustee or commissioner under such act, without qualifying or taking the oath prescribed in and by 3 G. 3. c. 126. s. 62., and although such person may not be possessed of freehold or copyhold lands, tenements, or hereditaments, or be heir-apparent to any person possessing the same, to the amount required by the same recited act, 4 G. 4. c. 95. s. 55.

179. Provided, that if any trustee or commissioner who shall have been acting as such previously to the said 1st Jan. 1823, shall have lost or parted with, subsequently thereto, or shall hereafter lose or part with by sale, assignment, bankruptcy, insolvency, or otherwise, the qualification in respect of which he acted as a trustee or commissioner, and shall not be possessed of the qualification required by the said act of 13 G. 3. c. 84., or by the act or acts in the execution of which such trustee or commissioner shall have acted, every such trustee or commissioner shall therefrom become disqualified, and be incapable of any longer acting as a trustee or commissioner; and if any such trustee or commissioner so becoming disqualified, shall presume to act in execution of the act or acts under which he previously acted, he shall be liable to the penalties and forfeitures imposed by the 3 G. 4. c. 126., on persons acting as trustees or commissioners not being duly qualified, to be sued for and recovered under the powers and provisions of the said act, 4 G. 4. c. 95. s. 56. [See 3 G. 4. c. 126. s. 62. *ante*, *pl.* 64.]

180. And whereas in and by 3 G. 4. c. 126. s. 65., *pl.* 67., it is, amongst other things provided, that no trustee or commissioner shall have any share or interest in, or be in any manner directly or indirectly concerned in any contract or bargain for making or repairing, or in any way relating to the road for which he shall act, or for building or repairing any toll-house or toll-gate, or weighing-engine thereon, or for supplying any materials for the use thereof, nor shall let out for hire any waggon, wain, cart, or other carriage, or any horse, cattle, or team, for the use of any turnpike road for which he shall act as trustee or commissioner, nor by himself or by any other person for or on his account, directly or indirectly receive any sum of money to his use or benefit out of the tolls collected on the road for which he shall act during the time he shall be acting as a trustee or commissioner of such road, and in and by the said recited act any trustee or commissioner offending in any of the cases aforesaid is thereby made liable to pay the penalty of 100*l.*, be it further enacted, That no person being a trustee or commissioner of any turnpike road, shall be liable to and forfeit the said penalty of 100*l.*, or any other penalty or forfeiture, for or by reason of his or their being only a proprietor or holder of any share or shares in any canal or railway company which shall contract with the trustees or commissioners of the road, for which such person shall act as a trustee or commissioner, for the carriage or conveyance of any materials for the repair of such road, 4 G. 4. c. 95. s. 57.

181. The trustees or commissioners for executing any act for making or maintaining any turnpike roads, shall from time to time meet at such time and place on or near their respective roads, as to them shall seem convenient, and may adjourn themselves to meet at any place or places, and at such time or times, as the said trustees or commissioners, or the major part of them, shall appoint; and at all their several meetings the trustees or commissioners shall pay their own expences, except any sum not exceeding 10*s.* *per diem* for the use of the room wherein they shall meet; and all orders and determinations of the trustees or commissioners in the execution of such act shall be made at meetings to be held in pursuance thereof, or of the 3 G. 4. c. 126., or this act, and not otherwise (except in the cases otherwise particularly provided for by the said recited act or any such act, for making or repairing turnpike roads);

and no order or determination shall be made, unless the major part of the trustees or commissioners present shall concur therein; and all acts, orders, and proceedings relating to any such act, or the recited act and this act, which are directed to be had, made, done, or exercised by or before the said trustees or commissioners, and all the powers and authorities vested in them generally, shall and may be had, made, done, and exercised by the major part of the trustees or commissioners who shall be present at the respective meetings to be held by virtue of such act or this act, the whole number present not being less than three (except in cases where any other number is by any local act, or the recited act or this act, named for any particular purpose); and all acts, orders, or proceedings had, made, or done by or before such three trustees or commissioners, shall have the same force and effect as if the same were had, made, done, or executed by or before all the said trustees or commissioners; and a chairman shall in the first place be appointed at every meeting, to be held by virtue and for the purposes of any such local act, or the 3 G. 4. c. 126., or this act, who, in case of an equal number of votes (including the chairman's vote), shall have the casting vote; and no order or determination at any meeting of the said trustees or commissioners, once made, shall be revoked or altered at any subsequent meeting, unless notice of the intention to make such revocation or alteration shall have been given by three or more trustees or commissioners, by writing under their hands, to the clerk to the said trustees or commissioners, at a previous meeting holden for the same road, and entered in the book of proceedings of such meeting, and unless notice signed by any two or more trustees or commissioners shall have been affixed on all the turnpike-gates then erected upon such road, 21 days at least before such meeting, nor unless such revocation or alteration shall be agreed to be made by a greater number of trustees or commissioners than concurred in the making of any such order or determination: provided, that nothing herein contained, prohibiting trustees from expending more than 10*s.* *per diem* for the use of the room wherein they shall meet, shall extend to the trustees or commissioners of any road within five miles of the *Royal Exchange* in *London*; but such last-mentioned trustees or commissioners may expend any sum not exceeding 20*s.* for the use of such room, 4 G. 4. c. 95. s. 39. [See 3 G. 4. c. 126. s. 67., *pl.* 69.]

182. And if at any time it shall be thought necessary, for the better execution of any act of parliament for making or maintaining any turnpike road, that the trustees or commissioners should meet before the time to which any meeting may be adjourned, it shall be lawful for any two or more of such trustees or commissioners (or for the clerk to the said trustees or commissioners, by an order in writing, signed by any two or more of them) to give notice of such earlier meeting, by advertisement in some newspaper circulated in the neighbourhood of such road, and affixed on all the turnpike-gates then standing on such road, in which notice shall be expressed the time, place, and purpose of such earlier meeting (such time not being less than 14 days after publication of the said notice); and all the orders and determinations of the trustees or commissioners, at all such meetings, shall be as valid as if the same had been done at any other meeting of trustees, &c. held by virtue of the said recited act or this act, or the act under and by virtue of which they shall act as trustees, &c.; provided, that no other business than what shall be specified in such notice shall be transacted at any such meeting, 4 G. 4. c. 95. s. 41. [See 3 G. 4. c. 126. s. 68. *pl.* 70.]

183. Whereas by 3 G. 4. c. 126. s. 69. *pl.* 71. all trustees and commissioners of every turnpike-road are required to hold a general meeting of the trust for which they respectively act, on a day to be by them or any three of them appointed in the months of *April*, *Sept.*, and *Oct.*; be it enacted, That where by any act a general annual meeting of the trustees acting in execution of such act, shall be appointed to be held, at any other time than in the said months of *April*, *Sept.*, or *Oct.*, and the said trustees shall have held such meetings under the authority of such act, it shall be lawful for such trustees to continue to hold the said general annual meetings, at the time mentioned in the act under which they shall be appointed, instead of the said months of *April*, *Sept.* or *Oct.*, 4 G. 4. c. 95. s. 42.

184. The trustees or commissioners for making, &c. any turnpike road, may and they are hereby empowered, by writing under their hands, to appoint such collector or collectors of the tolls arising on such turnpike road, and clerk or clerks, treasurer or treasurers, surveyor or surveyors of the said roads, and other officers, as the said trustees or commissioners shall think necessary; and such collectors, clerks, treasurers, surveyors, and other officers, from time to time remove, and on removal, death, or resignation of any such collector, &c., to appoint others in their stead; and may and are hereby authorized, out of any of the monies arising on such turnpike road, to allow and pay to the several collectors, clerks, treasurers, surveyors, and other officers, and to such other persons as shall be assisting them in the execution of the act for making, &c. such road, and the 3 G. 4. c. 126. and this act, such

salaries, rewards, and allowances, as such trustees or commissioners shall deem reasonable, 4 G. 4. c. 95. s. 43. [See 3 G. 4. c. 126. s. 71. pl. 75.]

185. Provided, that it shall not be lawful for the trustees or commissioners acting under any act for making or maintaining any turnpike road, to continue or appoint the person who has been or may be appointed their clerk in the execution of such acts or the partner of any such clerk, or the clerk or other person in the service or employ of any such clerk, the surveyor for the purposes of such act, or to continue or appoint any person who has been or may be appointed surveyor, or the partner of any such surveyor, the clerk to the said trustees or commissioners, and if any person shall accept both the offices of clerk and surveyor for the purposes of such act, or if any person being the partner of any such clerk, or the clerk or other person in the service or employ of any such clerk, shall accept the office of surveyor, or being the partner of any such surveyor, shall accept the office of clerk in the execution of such act, and if any such surveyor shall hold or accept any place or office of profit or trust under the said trustees other than that of surveyor, every such person so offending shall for every such offence forfeit and pay the sum of 50*l.* to any person who shall sue for the same, to be recovered, with full costs of suit, in any of H.M.'s courts of record at *Westminster*, by action of debt or on the case, or by bill, suit, or information, wherein no essoign, protection, or wager of law, nor more than one imparlance shall be allowed, 4 G. 4. c. 95. s. 44. [See 3 G. 4. c. 126. s. 71. pl. 75.]

186. If the surveyor of any turnpike road shall have any part or share or interest in any contract or bargain for work, materials, tools, or other things to be done or provided upon, for, or on account of any road or bridge, or any part thereof under his care and management, or shall on his own account directly or indirectly let to hire any team, or sell or dispose of any timber, stone, or other materials to be used or employed in making or repairing any such road or bridge, he shall forfeit for every such offence the sum of 50*l.*, 4 G. 4. c. 95. s. 45. [See 3 G. 4. c. 126. s. 65. pl. 67.]

187. And all such officers as shall have been or shall be appointed by any trustees or commissioners of any turnpike road, shall, from time to time, when thereunto required by the trustees or commissioners, deliver to such trustees or commissioners, or to such person or persons as they shall appoint, true, exact, and perfect accounts in writing, under their hands, of all monies which they and every of them respectively shall have received to that time, by virtue of any act, and how much thereof hath been paid and disbursed, and for what purposes, together with the proper vouchers for such payments, and shall pay all such monies as shall remain in their or any of their hands to the said trustees or commissioners, or to such person or persons as they shall appoint to receive the same, and not otherwise, within such time as such trustees or commissioners shall limit; and if any such officer or person shall refuse or neglect to produce or deliver up such accounts, and the vouchers relating to the same, or shall refuse or neglect to pay the money due on such account within the time and in manner aforesaid, or if any such officer or person shall refuse or neglect to deliver up to the said trustees or commissioners, or to such person or persons as they shall appoint, within 10 days after being thereunto required by the said trustees or commissioners, all the books, papers, or writings in his custody or power, then it shall be lawful for any one justice of the peace for the county, riding, or division in which such road or any part thereof shall be situate, upon complaint made to him by or on behalf of the said trustees or commissioners, by warrant under his hand and seal, to summon such officer or officers, person or persons, to appear before him, and upon his or their appearing, or not being to be found, to hear and determine the matter of such complaint in a summary way, and to settle the said account if produced; and if, upon confession of the officer or officers, person or persons against whom any such complaint shall be made, or by the oath or oaths of any witness or witnesses (which oath such justice shall administer without fee,) or upon inspection of the said accounts, if produced, it shall appear to such justice that any of the money which shall have been collected or received, shall be in the hands of such officer or officers, person or persons, such justice is hereby authorized and required, on non-payment thereof, by a warrant under his hand and seal, to cause such money to be levied by distress and sale of the goods and chattels of such officer or officers, person or persons respectively; and if no goods and chattels can be found sufficient to satisfy the said money, and the charges of distraining and selling the same, or if such officer or officers, or other person or persons, shall not appear before the said justice at the time and place appointed, unless for some sufficient reason, or if appearing, shall refuse or neglect to give and deliver to such justice an account of all receipts and payments as aforesaid, or to produce and deliver up to the said justice the several vouchers and receipts relating to such accounts respectively, or the books, accounts, papers, and writings in his or their custody or power relating to the execution of any turnpike act, or the 3 G. 4. c. 126., or this act; then and in either of the cases aforesaid, such

justice is hereby authorized and required, by a warrant under his hand and seal, to commit such officer or officers, or other person or persons, to the common gaol or house of correction of the county in which such road shall be situate, there to remain without bail, in case he shall be committed for non-payment of any money received by him or them, or in his or their hands, until he shall have accounted for and paid the full amount thereof, or compounded with the trustees or commissioners, and paid such composition, in such manner as the said trustees, &c. shall appoint (which composition such trustees may make); or in case he or they shall be committed for not delivering any account-books, papers, or writings as aforesaid, until he or they shall have delivered up such books, papers, and writings, or made satisfaction in respect thereof to the said trustees or commissioners; provided that no person, who shall be so committed, for want of sufficient distress, shall be detained in prison by virtue of this act, for a longer space of time than six calendar months, 4 G. 4. c. 95. s. 47. [See 3 G. 4. c. 126. s. 77. pl. 79.]

188. Upon the death, incapacity, refusal, neglect, or absconding of any collector or receiver of tolls at any turnpike or weighing-machine on any turnpike road, any two or more trustees or commissioners, though not assembled at any meeting, by writing under their respective hands, shall and may nominate and appoint a proper person in his place, to continue until the then next meeting of the trustees or commissioners, in the stead of such collector or receiver as shall so die, become incapable, refuse, neglect, or abscond; which person so nominated and appointed shall have the like power and authority, and be answerable and accountable in the same manner as the person who shall die, become incapable, refuse, neglect, or abscond, would have had or been subject to if living; and if any collector or receiver of tolls, who shall be discharged from his office by the said trustees or commissioners, or the wife or widow, or any of the children, family, or representatives of any collector or receiver who shall die, abscond, refuse, or neglect to perform his duty, or be discharged, or any other person having the possession of any toll-house or buildings, or weighing-machine erected by virtue of any turnpike act, or of 3 G. 4. c. 126., shall neglect or refuse to deliver up such possession, for the space of three days after demand thereof made, and notice in writing given for that purpose by any two or more of such trustees or commissioners, or by their clerk or treasurer, then it shall be lawful for any such justice of the peace for the county or place where such toll-house or building or weighing-machine is situate, by warrant under his hand and seal, to order any constable or other peace-officer for the same county or place, with such assistance as shall be necessary, to enter such house or building or weighing-machine in the day-time, and to remove the person who shall be found therein, together with his, her, or their goods, out of the same, and to put the said trustees or commissioners, or any of their officers, in the possession thereof, 4 G. 4. c. 95. s. 49. [See 3 G. 4. c. 126. s. 50. pl. 51.]

189. Provided, that after the passing of this act [19th July 1825], no person who shall ask and take more toll than he is authorized to take by this act, or any act now in force, or by any act hereafter to be made and passed, shall be prosecuted by indictment for extortion, or otherwise, nor shall any other proceeding be adopted against such person for the offence aforesaid, other than by prosecuting for the forfeiture and penalty before a justice of the peace, as herein or by the recited act directed, 4 G. 4. c. 95. s. 50.

190. It shall be lawful for the trustees or commissioners of any turnpike road, under and subject to the directions of the said recited act and this act, to let to farm, or agree to let to farm, all or any part of the tolls of the several gates erected upon their respective roads, and all or any of the said gates, either together and in one lot, or by parcels and in several lots; and in case the said trustees or commissioners shall at any time let to farm the said tolls in parcels or lots, it shall be lawful for the said trustees or commissioners to put up each such parcel or lot at such sum as they shall think fit, 4 G. 4. c. 95. s. 52. [See 3 G. 4. c. 126. s. 55. pl. 56.]

191. When the trustees or commissioners of any turnpike road shall put up the tolls to let to farm, the said trustees or commissioners may, if they think fit, appoint some persons to bid for the same on their account, to the intent that such tolls may not be let for less than an adequate value, 4 G. 4. c. 95. s. 53.

192. Whereas in some situations a toll-gate or bar belonging to trustees or commissioners of one road, is placed so near to the gate or bar of the trustees or commissioners of another road, as to be inconvenient to the respective trusts, and to the public; be it enacted, That it shall be lawful for the trustees or commissioners of any turnpike road, if they shall agree thereto, at any public meeting to be holden for that purpose, to take to farm the tolls payable at any toll-gate or bar of any other road adjoining or near to the road under their care; and the trustees or commissioners so farming the tolls may collect and receive the same, or may reduce the said tolls so farmed, or may discontinue the same, as they see fit, 4 G. 4. c. 95. s. 54.

193. All sales and conveyances of any lands, tenements, or heredit-

aments, to be sold by the trustees or commissioners of any turnpike roads, shall be made at the expence of such trustees or commissioners, and shall be expressed in the following or some similar form of words, as the circumstances of the case may require: viz.

'We, — of the trustees or commissioners acting in execution of an act passed [here insert the title of the act appointing them], in consideration of the sum of — to us paid by [name of the purchaser], do hereby grant and release to the said [name of the purchaser], all [describing the premises to be conveyed], and all our right, title, and interest to and in the same, and every part thereof, to hold to the said [name of the purchaser], his heirs, executors, administrators, and assigns, for ever, by virtue and according to the true intent and meaning of an act, passed in the fourth year of the reign of King George the Fourth, intituled, *An Act [here set forth the title of this act]*. In witness whereof we have hereunto set our hands and seals, this — day of —

4 G. 4. c. 95. s. 55. [See 3 G. 4. c. 126. s. 86. pl. 88.]

194. Provided, that it shall be lawful for the trustees or commissioners of any turnpike road to purchase or rent, with the consent of the owner or proprietor thereof, any piece or pieces of ground within 10 miles of the *Royal Exchange*, as a repository for materials, such piece or pieces of ground to be of such extent as they may think proper, so as the same shall not exceed in the whole half an acre, 4 G. 4. c. 95. s. 56. [See 3 G. 4. c. 126. s. 84. pl. 86.]

195. Where any toll-house or toll-houses, standing or adjoining on any turnpike road, and which shall have been erected by or vested in the trustees or commissioners of such road, shall become useless and be no longer required, it shall not be lawful for such trustees or commissioners to sell or dispose of such toll-house or toll-houses, but in every such case such trustees or commissioners shall cause such toll-house or toll-houses, with the outhouses attached thereto, to be pulled down, and the materials thereof to be sold or removed, and the scite of such toll-house or toll-houses, together with the gardens and appurtenances thereunto belonging, may then be sold by the said trustees or commissioners, in the same manner as and under the regulations in the recited act and this act contained, with respect to any land or ground not wanted for the purposes of the road, 4 G. 4. c. 95. s. 57.

196. During such time as the tolls arising on any turnpike road, or any part thereof, shall be leased, demised, or let to any person whomsoever, it shall be lawful to and for the lessee or farmer thereof, or such other person as he shall authorize or appoint to occupy and enjoy the toll-house or toll-houses at which the said tolls so let are to be collected, and to arise, with all the appurtenances and conveniences to the same toll-house or toll-houses belonging, for the purpose of collecting such tolls, during so long time only as such lessee or farmer shall duly and regularly pay his rent, and perform the covenants, agreements, and conditions of such lease, demise, or letting, but no further or otherwise, 4 G. 4. c. 95. s. 58. [See as to obtaining possession of toll-house when detained by collector, &c. 3 G. 4. c. 126. s. 50. pl. 51. and next pl.]

197. In case all or any of the tolls arising by virtue of any turnpike act shall have been let to farm to any person or persons in any manner whatsoever, and the lessees, shall neglect or refuse to perform the terms and conditions on which the same shall have been so let; or in case the rents agreed to be paid by such lessees, shall be in arrear by the space of seven days next after any of the days on which the same ought to be paid, pursuant to the agreement for letting to farm thereof, or in case any such lease or agreement shall in any other manner become void; then it shall be lawful for any justice of the peace for the county or place, by warrant under his hand and seal, to order a constable or other peace-officer, with such assistance as shall be necessary, to enter upon and take possession of any toll-house, toll-gate, bar or chain, or weighing-machine, and the buildings and appurtenances thereto belonging, and to remove such lessees, or other persons who shall be found therein, together with their goods, out of and from the possession of the said toll-house, and from the collection of tolls, and to put the said trustees or commissioners, or any one of them, or their new appointed officer, or other person acting by or under their authority, into the possession thereof; and thereupon it shall be lawful for the said trustees or commissioners (if they think fit) to vacate and determine the contract or agreement (if any) for letting the said tolls to such lessees, and the same shall be from that time utterly void, (save as to the covenants or agreements for payment up to that time of the rent thereby reserved, or other covenants on the lessee's part, which shall have been holden,) as if such demise or agreement had never been made; and it shall be lawful for the said trustees or commissioners in every such case, to let the said tolls again to any other person or persons, or cause them to be collected as if no former demise, contract, or agreement had been made relative thereto, 4 G. 4. c. 95. s. 59.

198. In case the trustees or commissioners of any turnpike road shall at any time be desirous of paying off any portion of the principal monies due and owing upon the credit of such road, where all the

interest due thereon shall have been duly paid, or otherwise satisfied, it shall be lawful for them, at any meeting to be holden according to the 3 G. 4. c. 126., or this act, or of the act or acts in execution of which they act, (notice of such intended meeting and of the purposes thereof being first given, at least 28 days preceding the same, by advertisement in some newspaper circulated in the neighbourhood of the said road,) if they shall think fit, instead of paying the same rateably amongst all the creditors, to determine by lot to which of such creditors the whole or any portion thereof shall be so paid, and to pay the same to such creditors only, or to any of the creditors, with the consent of all the other creditors, 4 G. 4. c. 95. s. 60.

199. Provided, that the trustees or commissioners of any turnpike road shall not be personally subject to or liable to be charged with the payment of any money, by reason of their having signed or executed any mortgage, or assignment by way of mortgage, or other security to be made by notice, or in pursuance of any turnpike act: provided also, that in case any action, suit, or prosecution shall be brought or commenced against any such trustee or commissioner for any thing done by virtue or in pursuance of the 3 G. 4. c. 126., or this act, or any act for making or maintaining any turnpike road, all the costs of defending such action, suit, or prosecution, which such trustee, &c. shall incur in consequence thereof, shall be defrayed out of the tolls arising on the turnpike road for which such trustees, &c. shall act, 4 G. 4. c. 95. s. 61. [See 3 G. 4. c. 126. s. 81. pl. 83.]

200. All books containing the accounts and proceedings of the trustees or commissioners for executing any turnpike act, or containing any orders or agreements made or entered into by them, such books being kept and signed in manner directed by the recited act and this act, shall be given in evidence in all cases of appeal, and in all prosecutions, suits, and actions whatsoever, 4 G. 4. c. 95. s. 62.

201. In case the trustees or commissioners of any turnpike road shall become possessed of any tenements or hereditaments, which are useless or unnecessary for the purposes of such road, it shall be lawful for the said trustees or commissioners to sell and dispose of the same, in the same manner as by the recited act they are authorized to do, in the cases of any land or ground not wanted for the purposes of such road, 4 G. 4. c. 95. s. 63. [See 3 G. 4. c. 126. s. 84. pl. 86.]

202. It shall not be lawful for the trustees or commissioners of any turnpike road in altering or diverting the course of any part of the turnpike road under their care, to take or pull down any dwelling-house or other building, or in altering or diverting the course of any part of the turnpike road under their care and management, to deviate over any inclosed lands more than 100 yards from the line or course of such turnpike road, without the consent in writing of the owner or proprietor, or of the person or persons authorized to act for and on behalf of the owner or proprietor of such dwelling-house or other building, or of such lands or grounds, or to take in or make use of any garden, yard, or paddock, or any park, planted walk or avenue to a house, or any inclosed ground planted as an ornament or shelter to a house, or planted and set apart as a nursery for trees, or any part thereof, without the like consent of the owner or proprietor, or of the person or persons hereby authorized as aforesaid first had and obtained; and it shall be lawful for all bodies politic, corporate, or collegiate, corporations aggregate or sole, tenants for life or in tail, husbands, guardians, trustees, feoffees in trust, committees, executors, administrators, and all other persons whomsoever, not only for or on behalf of themselves, their heirs and successors, but also for and on behalf of the person or persons entitled in reversion, remainder, or expectancy after them, and for and on behalf of their cestuique trusts, whether femes covert, infants, or issue unborn, lunatics, idiots, or other person or persons whomsoever, and to and for all femes covert who are or shall be seized of or interested in their own right, and to and for all and every person or persons whomsoever, who are or shall be possessed of or interested in any such lands, tenements, hereditaments, or premises, or who shall sustain any damage, to give their consent in writing to the said trustees or commissioners, for the taking or pulling down of such dwelling-house or other building, or the making of such deviation of more than 100 yards as aforesaid, or the making use of such garden, yard, paddock, park, planted walk, avenue, or other such premises as aforesaid, and to contract with the said trustees or commissioners for the sale thereof, or for the satisfaction to be made for the same, or for such damages as aforesaid, and by conveyance, lease and release, or bargain and sale, to sell and convey unto the said trustees or commissioners all or any such lands, tenements, hereditaments, or premises, or any part thereof, for the purposes aforesaid; and all contracts, sales, and conveyances which shall be so made, shall be good, valid, and effectual to all intents and purposes, without fine or recovery, and shall be a complete bar to all estates tail and other estates, rights, titles, trusts, and interests whatsoever; and all such bodies politic, corporate, or collegiate, corporations aggregate or sole, tenants for life or in tail, husbands, guardians, trustees, feoffees, committees, executors, administrators, and all other persons, are hereby indemnified for what

they or any of them shall do in pursuance of this act: provided, that nothing herein contained shall extend to revoke, limit, abridge, alter, or vary any powers contained in any act or acts existing and in force at the passing of this act [19th July 1825], for making, altering, or diverting any turnpike road, or the course thereof, to be made, altered, &c. and maintained under the authority of such acts, but the same powers shall be exercised and carried into effect by the trustees or commissioners appointed by such acts, 4 G. 4. c. 95. s. 65. [See 3 G. 4. c. 126. s. 96. pl. 98.]

203. In all cases where the trustees or commissioners of any turnpike road shall turn or alter any part of such turnpike road, or make any new road over and through any private grounds, or across any public or private footway, or shall take away any fence for widening or improving any such road, the said trustees or commissioners shall make or cause to be made and planted proper quickset hedges, or shall make or build proper fences or walls on both sides of such new made road, or on the side upon which any such fence may be so removed as aforesaid, with sufficient ditches to the same, and sufficient posts and rails, or other fence, on both sides of such quickset hedges to protect the growth thereof, so as effectually to guard and fence off the lands adjoining any such road from trespass or injury by horses, asses, cattle, sheep, or swine; and also proper gates, stiles, posts, bridges, and arches, where necessary, out of any such road into the lands adjoining, and shall keep such fences so to be made, in good order and repair, for and during the term of five years from the time that such fences shall have been made or set up; unless the owners or proprietors shall agree with the trustees or commissioners to keep such fences in repair from an earlier period for such time as aforesaid, 4 G. 4. c. 95. s. 66. [See 3 G. 4. c. 126. s. 88. pl. 96.]

204. It shall be lawful for the surveyors, and other persons appointed by the trustees or commissioners of any turnpike road, from time to time to cut, make, or maintain drains or watercourses upon and through any lands lying contiguous to any such road, and also to make ditches in such places and in such manner as such surveyors, by order of such trustees or commissioners, shall judge necessary; and make sufficient fences and barriers, and other erections, on any part of the said road, in order to prevent any rivulet or current of water from flooding the same, as such surveyors shall judge necessary; making such satisfaction to the owners or occupiers of such lands so to be used, cut through, or built upon, for the damages which they may sustain thereby, as such trustees or commissioners shall judge reasonable; and in case of any difference between such owners or occupiers and such trustees or commissioners, the same shall be finally settled by any two justices of the peace for the county, city, or place in which such road shall lie or be situate, 4 G. 4. c. 95. s. 67.

205. And whereas doubts have arisen and may arise, whether any body politic or corporate, or any particular person or persons, liable to repair, by tenure or otherwise, any old turnpike road, or part of such road, widened, altered, diverted, or turned, ought to repair or contribute to the repair of the whole or any part or proportion of the new road set out in lieu of the old turnpike road; for obviating such doubts and preventing disputes about the same, be it further enacted, That all and every body politic or corporate, and person and persons, who was, were, or shall be liable as aforesaid to the repair of any old turnpike road, which has been since the passing of the 3 G. 4. c. 126., or shall be widened, altered, diverted, or turned, shall respectively be and continue in the same manner liable to the repair of such new road, set out in lieu of the old road, or so much thereof as shall be equal to the burthen and expence of repairing such old road, from which he, she, or they shall be exonerated by the widening, altering, diverting, or turning thereof, and if the several parties interested therein cannot agree, the same shall be viewed by two justices of the peace of the county where such road shall be, and shall be settled, adjusted, and determined, by them, in such manner as they shall think just and reasonable; and from and after such determination of the justices, the body politic or corporate, and person and persons liable to repair such new road as aforesaid, shall bear all charges of presentments, indictments, and prosecutions for not repairing the same; and if it shall be found more convenient to fix a gross sum, or an annual sum to be paid by any body politic or corporate, or person or persons, instead of fixing the part or proportion of such new road to be repaired by him, her, or them, the said justices may, with the consent of such person or persons, and also of the trustees or commissioners of the new road, obtained at a meeting of such trustees or commissioners, order and direct the same accordingly; and the order and direction of the said justices shall be final and conclusive, and shall continue binding on all bodies politic or corporate, and persons whomsoever, 4 G. 4. c. 95. s. 68.

206. Where by this act, or the 3 G. 4. c. 126., or any act for making or maintaining any turnpike road, any damages or charges are directed or authorized to be paid or recovered in addition to any penalty for any offence, the amount of such damages or charges, in case of dispute respecting the same, shall be settled, ascertained, and determined by the

justice or justices of the peace by or before whom any offender shall be convicted of any such offence; who is hereby authorized and required on non-payment thereof, to levy such damages or charges by distress and sale of the offender's goods and chattels, in manner directed by the said recited act [3 G. 4. c. 126. s. 141. pl. 143.], for the levying of any penalties or forfeitures, 4 G. 4. c. 95. s. 69.

207. When and as often as any sum or sums of money shall be directed or ordered to be paid by any justice or justices of the peace, in pursuance of the directions of the said act or this act, or any act relating to turnpike roads, as or by way of compensation or satisfaction for any materials or costs, or for any damage, spoil, or injury of any nature or kind whatsoever, done or committed by such trustees or commissioners, or any persons acting under their authority, and such sum of money shall not be paid by the said trustees or commissioners to the party or parties entitled to receive the same, within 10 days after demand in writing made from the clerk to the said trustees or commissioners, or their treasurer, in pursuance of the direction or order made by such justice or justices, and in which demand the order of such justice or justices shall be stated, then the amount of such compensation or satisfaction shall and may be levied and recovered by distress and sale of the goods and chattels vested in such trustees or commissioners by virtue of any turnpike act, or of the goods and chattels of their treasurer for the time being, under a warrant to be issued for that purpose by such justice or justices, which warrant any such justice or justices may and shall grant under his or their hand and seal or hands and seals, on application made to him or them for that purpose, by the party or parties entitled to receive such money; and in case any overplus shall remain after payment of such money, and the costs of hearing and determining the matter in dispute, and also the costs and expences of such distress and sale, then such overplus shall be returned on demand to the said trustees or commissioners, or to their treasurer, as the case may be: provided, that it shall be lawful for such treasurer to retain out of any monies which he shall have received or shall receive in pursuance of any such act, or the recited act or this act, all such damages, costs, charges, and expences as he shall have sustained or be put unto by virtue of any such warrant as aforesaid, 4 G. 4. c. 95. s. 71. [See 3 G. 4. c. 126. s. 135. pl. 157.]

208. If any person or persons shall wilfully pull down, break, injure, or damage any table of tolls put up or fixed at any toll-gate or bar, on any part of any turnpike road, or wilfully or designedly deface or obliterate any of the inscriptions, letters, figures, or marks thereon; or if any person or persons shall wilfully pull up, throw down, break, injure, or damage any posts, rails, or fences placed or put up, by order of any trustees or commissioners of any turnpike road, or their surveyor, either by the side or sides of such road, or at or near to any pit or quarry which shall be used, opened, or made for the getting of stones, gravel, or other materials for the purposes thereof, in order to prevent accidents, or if any person shall wilfully cause any damage or injury to be done to any bridge, arch, wall, or other building or erection to be set up or erected by virtue of any act on any part of any turnpike road, or by the side or sides thereof; or if any person shall cast or throw any earth or rubbish, or other matter or thing, into any drain, ditch, culvert, tunnel, or other watercourse made by virtue of any act, so as to obstruct the water from running or draining off any turnpike road; or if any person shall, without being thereto authorized by the surveyor, shovel up, scrape, gather, or carry away any stones, gravel, sand, or other materials, slutch, dirt, mire, drift, or soil from off any footpath or causeway, or any other part of such road; or if any person shall in any manner wilfully prevent any other person from passing him or her, or any carriage under his care, upon any such road; or if any such person shall dig, make, or use any pit or pits, for sawing of timber or wood, within 30 feet of the centre of any such turnpike road, unless where inclosed by a fence from any such road; every person offending in any of the cases aforesaid, shall forfeit not exceeding 40s.; and one moiety shall be paid to the informer, and the other moiety shall be paid to the treasurer of such trustees or commissioners, and applied towards the repair of such road, 4 G. 4. c. 95. s. 72. [See 3 G. 4. c. 126. s. 121. pl. 123.; and 4 G. 4. c. 95. s. 69. pl. 206.]

209. In case the driver of any waggon, cart, or of any coach or other carriage, shall offend against any of the provisions of any act for making or maintaining any turnpike road, or the recited act or this act, whereby any penalty shall be incurred, and shall refuse to give his name, or shall abscond or absent himself so as not to be found, then it shall be lawful for any justice of the peace, before whom complaint shall be made, and he is hereby required to issue a summons, requiring the owner of such waggon, &c. to appear before him, to answer the matter of such complaint; and if such owner shall refuse or neglect to appear, or appearing shall not then, or within 10 days thereafter, produce the driver so offending, or disclose his name and place of abode, then the said justice, or any other justice, on an examination of the circumstances, and ascertaining by the examination of witnesses on oath, that such offence has been committed by any such driver of any waggon, &c. shall order and

adjudge that the penalty incurred by such driver shall be paid by the owner of such waggon, &c.; which penalty shall be recovered and applied in manner directed by the recited act, 4 G. 4. c. 95. s. 73.

210. If any horse, ass, sheep, swine, or other beast or cattle of any kind, shall at any time be found tethered, or wandering, straying, or lying about any turnpike road, or on any part thereof (except on such parts as lead or pass through or over any common or waste or uninclosed ground), it shall be lawful for any surveyor of the road where the same shall be found, or any other person or persons whomsoever, to seize and impound every such horse, ass, sheep, swine, or other beast or cattle, in the common pound (if any) of the parish, township, tithing, or place where the same shall be found, or in such other place as the trustees or commissioners of the road shall have provided, or shall provide for that purpose, and the said horse, ass, sheep, swine, or other beast or cattle there to detain, until the owners shall for every and each horse, ass, sheep, swine, or other beast or cattle so impounded, pay the sum of 2s., together with the reasonable expences of impounding and keeping the same, to the treasurer, clerk, or surveyor of the road; the said 2s. for each beast to be applied to the use of, and in aid of the tolls of such road; and in case the said penalty and expences shall not be paid within five days after such impounding (notice being thereof first given to the owner, if known, or if not known, by affixing written notices at the two next toll-gates on the road nearest to the place where the same shall be impounded), it shall be lawful for any one or more justice or justices of the peace of the county or place where the offence shall have been committed, to order every such horse, ass, sheep, swine, or other beast or cattle to be sold, except where it shall be made to appear to such justice or justices, that the horse, ass, sheep, swine, or other beast impounded, escaped from any inclosure by any gate or fence being wilfully or negligently left open or destroyed by, any person not being owner or occupier, or employed by such owner or occupier, in which case such justice or justices may remit the said penalty; and the money arising from such sale, after deducting the said penalty and expences of impounding, keeping, and selling, shall be paid to the person whose property the same shall appear to have been; and in case the owner shall not be known, and no application shall be made for the money arising from such sale within 21 days after such sale shall have taken place, the said money shall be applied, after deducting the said expences, in the same manner as the said penalty of 2s. is herein-before directed to be applied: provided, that no owner of any horses, asses, sheep, swine, or other beasts or cattle impounded as aforesaid, shall in any case pay more than 5*l.* over and above the expences of impounding and keeping the same, for any number of horses, asses, sheep, swine, or other beasts or cattle impounded at one time; and provided, that nothing in this clause shall be deemed to take away any right of pasturage which may exist on the sides of any turnpike roads, 4 G. 4. c. 95. s. 75. [See 3 G. 4. c. 126. s. 122. *pl.* 124.]

211. If any person or persons having the care of any waggon, wain, cart, or other such carriage conveying goods for hire or reward, or for sale, on any turnpike road, shall not chain or fasten any dog, that may be attending him on such road, to such waggon, wain, cart, or carriage, every person so offending shall forfeit not exceeding 20s., 4 G. 4. c. 95. s. 76.

212. Whereas the form of the list to be delivered to the surveyors of turnpike roads by the surveyors of the highways is omitted in the schedule to the recited act; be it enacted, That the form given in the schedule to this act annexed, marked (No. 2.) shall be used for that purpose, 4 G. 4. c. 95. s. 77.

213. It shall be lawful for the trustees or commissioners of any turnpike road, or for their clerk, surveyor, or any other officer by their order, to contract and agree, by the year or otherwise, with any person or persons for the making, amending, altering, or maintaining the said road, or any bridges, toll-houses, or buildings thereon, or for any other thing which such trustees or commissioners are by any act for making or maintaining turnpike roads, or 5 G. 4. c. 126., or this act, or any other act, authorized to make, build, do, execute, or perform; and all contracts or agreements in writing entered into by the said trustees or commissioners, or pursuant to any order of the said trustees or commissioners, by their clerk, surveyor, or other officer, with any workmen or other person or persons, relating to any matter or thing to be done by virtue of any such act, or the 3 G. 4. c. 126., or this act, shall be binding on the said trustees or commissioners and their successors, and upon all other parties who shall sign the same, and the heirs, executors, and administrators of such other parties; and actions and suits shall and may be maintained thereon by the said trustees or commissioners, and damages and costs recovered against the party or parties, or person or persons failing in the performance of such contracts or agreements respectively; and such sum or sums of money as shall be requisite for the due performance of such contract shall be the measure of the damages to be recovered in any action or suit, against such party or parties as aforesaid, making default in fulfilling his or their contract or agreement, 4 G. 4. c. 95. s. 78.

214. All persons who by law are or shall be liable to do statute-work, or are or shall be chargeable towards the repairing and amending any turnpike road, shall be and remain liable thereto, in like manner as they now are or have heretofore been; and it shall be lawful for any two or more justices of the peace in and for the county, city, or place in which any such turnpike road is situate, shall and are hereby empowered, upon application made to them by any three or more of the trustees or commissioners of such turnpike road, or by their clerk or surveyor, yearly to adjudge and determine what part or proportion of the statute-work shall every year be done upon such road, by the inhabitants of the respective parishes, hamlets, or places, in or through which the said road doth or shall lie, lead, or pass, and also what proportion of the money received by the surveyor of the highways of every such parish, &c. in lieu of or as a composition for such statute-work, shall be by him paid to the said trustees or commissioners, or their treasurer; and in order thereunto the surveyor of the highways for every such parish, &c. shall, on an order in writing made by the said justices, on an application to them by the trustees or commissioners of the turnpike road, or any three or more of them, or by their clerk or surveyor, and respectively delivered to such surveyor of the highways, or left at his last or usual place of abode, bring and deliver within 10 days afterwards to the said turnpike surveyor, or to his place of abode, true and perfect lists in writing of the names of the several persons who within such parish, &c. are by law subject and liable to do statute-work for that year, or to the payment of any money in lieu of or as a composition for such statute-work, distinguishing the nature of the work to be done, whether with teams or draughts, or otherwise, and also the amount of the respective sums to be paid; which lists shall be made in such manner and under such regulations and restrictions, as are or may be directed by any law or statute in force for the repairs of the public highways, and may be made in the form specified in the schedule to this act; and the said turnpike surveyor, having received such lists, shall within 14 days afterwards give a notice to the surveyor of the highways, of the time when such lists will be laid before the said justices, in order to apportion the said statute-duty; and at the time appointed by such notice, the said lists shall be laid before the said justices by the said turnpike surveyor, in the presence of the said surveyor of the highways (if he shall attend), and out of such lists the said justices shall allot, appoint, and order such and so many of the persons who shall appear to be subject and liable to do statute-work, in every year upon such road, as the said justices shall think reasonable, and the same shall be done on such days and at such time (not being hay-time or harvest), and on such parts of the said road, as the said trustees or commissioners, or their surveyor, shall from time to time order, direct, or appoint; and the said justices shall order and direct the surveyor of such parishes, &c. to pay over to the said trustees or commissioners, or their treasurer, or other person duly authorized to receive the same, such proportion of the composition money for statute-work as they the said justices shall think proper, and at such time or times as the said justices shall direct; and every person who shall neglect or refuse to do such statute-work, after notice in writing given to or left for him at his last or usual place of abode for that purpose, by any surveyor to the said trustees or commissioners, shall for every day of default, or the default of any labourer or labourers, team or teams, draught or draughts, horse or horses, beast or beasts to be provided by him, be subject and liable to such fines, penalties, and forfeitures as such person may be subject and liable by any law or statute now in force for repair of the public highways; and if any person who shall come to work as a labourer, or shall be sent with any team or draught to work on any part of such road, shall be found idle or negligent by any surveyor to the said trustees or commissioners, such surveyor is hereby empowered to remove and dismiss the person who shall be found idle or negligent; and in that case every such person shall be subject and liable to the respective forfeitures and payments aforesaid, as if he had neglected or refused to come, or such team or draught had not been sent to work on any part of such road; all which forfeitures shall be paid to the treasurer to the said trustees or commissioners, and applied towards amending the said road; and in case the surveyor of the highways for any of the said parishes, &c. shall refuse or wilfully neglect to give in any such lists as aforesaid, or shall knowingly and wilfully give in false and imperfect lists, or shall refuse or neglect to collect or pay over such composition money, or any part thereof in manner aforesaid, every such surveyor so offending shall for every such offence forfeit not exceeding 10*l.*; and such composition money may be recovered from such surveyor of the highways, by distress and sale of his goods and chattels, by warrant under the hands and seals of any two justices of the peace for the county, city, or place where any such road shall lie or be situate, 4 G. 4. c. 95. s. 80.

215. Where any turnpike road shall pass through any parish, township, or place, liable to the repair of the roads within the same, but for which no surveyor of the highways shall be appointed, then the churchwardens

and overseers of the poor of such parishes, &c. respectively; and in cases where neither surveyor, churchwardens, or overseers shall be appointed, then such other inhabitant or inhabitants of such parish, &c. as shall be thereto required, by an order in writing made by the justices, on application to them by the trustees or commissioners of the turnpike road, or by their clerk or surveyor, and respectively delivered to such churchwardens or overseers, or inhabitant or inhabitants, or left at their last or usual places of abode, shall deliver within 10 days afterwards to the said turnpike surveyor, or to his place of abode, true and perfect lists in writing, of the names of the several persons, who within such parish are by law subject and liable to do statute-work for that year, or to the payment of any money in lieu of or as a composition for such statute-work, distinguishing the nature of the work to be done, whether with teams or draughts, or otherwise, and also the amount of the respective sums to be paid; which lists shall be made and used, and dealt with in the manner directed by the recited act and this act; and the statute-work shall be ordered and adjudged by the justices, and enforced and required, or compounded for, in the same way as if the said lists had been made and delivered by the surveyor of the highways, under the provisions of the recited act and this act, 4 G. 4. c. 95. s. 81.

216. So much of 3 G. 4. c. 126. s. 105. pl. 107. as directs that the composition money in lieu of statute-duty, shall always be paid by the surveyor or surveyors of the highways, or other officer of the parish, hamlet, or place, or by the person compounding, to the treasurer of the trustees or commissioners in advance, on or before the 29th Sept. in each year, or otherwise that such persons, bodies, &c. shall not be permitted to compound for that year, shall be repealed; and after the passing of this act, all composition money in lieu of statute-duty shall be paid by the persons compounding, to the treasurer of the trustees or commissioners, at such time or times, and in such manner, as shall be agreed upon at the entering into such composition, 4 G. 4. c. 95. s. 82.

217. In all cases in which by the recited act any penalty, by that or any other act or acts for making or maintaining any turnpike road imposed, is made recoverable by information before a justice of the peace, it shall be lawful for any justice of the peace to whom complaint shall be made of any offence against any such act, or the recited act or this act, to summon the party complained against before him, and on such summons to hear and determine the matter of such complaint, and on proof of the offence to convict the offender, and to adjudge him to pay the penalty, and to proceed to recover the same, although no information in writing shall have been exhibited or taken by or before such justice; and all such proceedings by summons without information shall be as good, valid, and effectual to all intents and purposes, as if an information in writing was exhibited, 4 G. 4. c. 95. s. 83. [See 3 G. 4. c. 126. s. 141. pl. 143.]

218. And no person shall be deemed incompetent to give evidence or be disqualified from giving evidence in any action, suit, prosecution, or other legal proceedings in any court of law or equity, or before any justice or justices of the peace under any act for making or maintaining any turnpike road, or the recited act or this act, by reason of being a trustee or commissioner of such road, or a mortgagee or creditor of the tolls, or a farmer, lessee, or collector of such tolls, or a treasurer, or clerk, or surveyor, or other officer under such act; nor shall such evidence, for any of the reasons aforesaid, be rejected, or liable to be questioned or set aside, 4 G. 4. c. 95. s. 84.

219. Provided, that if any person shall think himself aggrieved by any order, judgment, or determination made, or by any matter or thing done by any justice or justices of the peace, or by any trustees or commissioners of any turnpike road in pursuance of this act, or the recited act, or any local act for making, repairing, or maintaining any turnpike road, (except where the order, judgment, or determination of any such justice or justices, trustees or commissioners, are hereby declared to be final and conclusive, and except under the particular circumstances herein-after mentioned), and for which no particular method of relief hath been already appointed, such person may appeal to the justices of the peace at the next general or quarter sessions of the peace, to be held for the county, division, riding or place wherein the cause of such complaint shall arise, such appellant first giving to such justice, commissioner, or trustee, by whose act or acts such persons shall be aggrieved, notice in writing of his intention to bring such appeal, and of the matter thereof, within six days after the cause of complaint shall arise, and within four days after such notice entering into such recognizances before some justice of the peace, with two sufficient sureties, conditioned to try such appeal at, and abide the order of, and pay such costs as shall be awarded by the justices at such general or quarter sessions; and also to pay the penalty in case the conviction should be affirmed; and every justice of the peace, commissioner, or trustee, having received notice of appeal, shall return all proceedings whatever had before him respectively, touching the matter of such appeal, to the said justices at their general or quarter sessions; and the said justices at such sessions, upon due proof of such notice having been given, and of such recognizance having been entered into in manner before directed, shall hear and finally deter-

mine the matters of such appeal in a summary way, and award such costs to the parties appealing or appealed against, as they shall think proper, to be levied and recovered by distress and sale of the goods and chattels of the person against whom such determination shall be given, and the determination of such general or quarter sessions shall be final and conclusive; and no proceeding to be had or taken in pursuance of this act, shall be quashed or vacated for want of form, or removed by certiorari, or any other writ or process whatsoever, into any of H. M.'s courts of record at Westminster; provided, that in case there shall not be time to give such notice, and enter into such recognizances as aforesaid, before the next sessions to be holden after the conviction of the appellant, then such appeal may be made to the next following sessions, and shall be there heard and determined: provided, that no appeal shall be allowed against any conviction for any penalty which shall not exceed the sum of 40s., 4 G. 4. c. 95. s. 87.

220. All the powers, authorities, provisions, regulations, privileges, penalties, forfeitures, clauses, restrictions, matters, and things whatsoever, contained in the said recited act, so far as the same are not expressly altered or repealed by this act, shall extend and be in force with respect to this act, and shall be applied and put in execution, as fully as if the same were repeated and re-enacted in the body of this act, and were made part thereof; and the 3 G. 4. c. 126. and this act shall, as to all matters whatsoever (except as aforesaid), be considered as one act, 4 G. 4. c. 95. s. 88.

221. The schedule (No. 2.) intituled, "Table of weights allowed in winter and summer to carriages directed to be weighed," shall be repealed; and the schedule (No. 1.) annexed to this act shall be made use of instead thereof, 4 G. 4. c. 95. s. 89.

222. And whereas doubts have arisen as to the roads to which the provisions of the said recited act extend, be it therefore enacted, That nothing in the said recited act or this act contained shall extend or be construed to extend to any road or roads not under the care and management of trustees or commissioners, or to any road or roads which shall be made, maintained or supported under the provisions of any act or acts of parliament passed for an unlimited period, notwithstanding tolls may be collected on such roads, or shall extend to affect, alter or interfere with the qualifications of any commissioner or other persons having the care and management of any such last-mentioned roads, or with any tolls taken, or weights carried thereon, or in any other manner therewith, 4 G. 4. c. 95. s. 90.

223. Provided, that nothing in the 3 G. 4. c. 126., or in this act contained, shall extend to the 59 G. 3. c. 30., intituled, *An Act for vesting in commissioners the line of road from Shrewsbury in the county of Salop, to Bangor Ferry in the county of Carnarvon, and for discharging the trustees under several acts of the 17th, 28th, 36th, 41st, 42d, 47th, and 50th years of His present Majesty from the future repair and maintenance thereof, and for altering and repealing so much of the said acts as affects the said line of road*, nor to any act passed in the same year, 59 G. 3. c. 48., intituled, *An Act to amend an act passed in the 55th year of the reign of His present Majesty, for granting to H. M. the sum of 20,000l. towards repairing roads between London and Holyhead by Chester, and between London and Bangor by Shrewsbury, and for giving additional powers to the commissioners therein named, to build a bridge over the Menai Straits, and to make a new road from Bangor Ferry to Holyhead, in the county of Anglesea*: nor to any road or roads repaired, maintained, and supported under the powers and provisions of the said two last-mentioned acts, 4 G. 4. c. 95. s. 91.

224. Provided, that nothing in this act contained shall extend to the turnpike road called the *Commercial* road, or the several branches leading from and out of the same, authorized to be made, repaired, and maintained under and by virtue of five several acts of parliament made and passed in the 43rd, 44th, 46th, 49th and 51st years of the reign of His late Majesty King George the Third, for making and maintaining the roads communicating with the *West* and *E. I.* docks, and for repairing the *Cannon Street* road, and for making and maintaining a new road to *Barking*, and a road from the *Romford* and *Whitechapel* road to *Tilbury Fort*, in the counties of *Middlesex* and *Essex*, and also for making a new branch of road from *King David Lane*, *Shadwell*, to the *Essex* road at *Mile End* in the county of *Middlesex*, or to affect, encroach upon, vary, alter, or interfere with any of the tolls, weights, or duties created by virtue of the said acts or any of them, or any of the powers and authorities given to or vested in the trustees acting under or by virtue of the said acts, or any or either of them, 5 G. 4. c. 126. s. 149.; 4 G. 4. c. 95. s. 92.

225. Provided, that so much of the turnpike road from *Carlisle* to *Glasgow* as lies in the county of *Cumberland* shall, after the passing of this act, be subject to the regulations, powers, and provisions of the 3 G. 4. c. 126., and this act, so far as the same respects nuisances, annoyances, and trespasses; and the justices of the peace for the county of *Cumberland* are authorized to enforce all penalties for nuisances, annoyances, and trespasses on the said road within the said county, 4 G. 4. c. 95. s. 93.

The SCHEDULE to which 5 G. 4. c. 126. refers; containing the Forms of Proceedings mentioned in that Act.

No. I.—Order of trustees for erecting a weighing-engine.

At a meeting of the trustees of the turnpike roads under an act passed in the — year of the reign of H. M. King George the — “For [state the title of the act], held at — the — day of —.

‘In pursuance of the powers given to us by an act passed in the third year of the reign of H. M. King George the Fourth, for regulating turnpike roads, we do hereby order that an engine proper for the weighing of carriages of the constructions and weights specified in the said act, be forthwith erected at, or as near as conveniently may be to the toll-gate or bar now erected upon the said turnpike road at —; and that A. B. the [treasurer, clerk, or] surveyor of the said turnpike road, do contract with some proper person [or, with C. D.] [in case the trustees shall think fit to name the person] for the making and erecting such engine, and do inspect and take care that the same is properly done; and we do order the gatekeeper at the said gate or bar for the time being to attend the said weighing-engine, and carefully to weigh all carriages passing loaded upon the said road, at the place where such engine shall be erected, together with the loading thereof, and to take the several additional tolls or rates for overweight, and give tickets of the weight of such carriages and loading, when required by the driver thereof, and also to enter in a separate book to be kept by him for that purpose, an account of every carriage so weighed, which shall with the loading exceed the weights allowed by the said act, and account to us for the money received for all such overweight.’

No. II.—Table of weights allowed in winter and summer, to carriages directed to be weighed (including the carriage and loading) by the act of the third George the Fourth. [REP. 4 G. 4. c. 95. s. 89., pl. 221. and new one given, Sch. No. 1.]

No. III.—Agreement between trustees of different turnpike roads for erecting one weighing-engine for the use of such roads.

‘At a meeting of the trustees of the turnpike roads, under an act passed in the — year of the reign of King George the — “For [state the principal part of the title of the act], and also of the trustees of the turnpike roads, under an act passed in the — year of the reign of King George the — “For [&c. as above], held at — the — day of — for the purpose of agreeing upon and ordering a weighing-engine at the joint expence of the trustees, for the use of the said several turnpike roads, pursuant to the powers given by an act passed in the third year of the reign of H. M. King George the Fourth, “For regulating turnpike roads.”

‘It appearing to us, that a weighing-engine may be erected at — [describing the spot where it can be most conveniently placed], which will accommodate both the said turnpike roads, according to the true intent and meaning of the said act: we do therefore order, &c. [as in the form above mentioned], and we do hereby agree and order, that the expences of making and erecting the said weighing-engine, and the sum of —, which we do hereby agree and order shall be paid to the toll-gatherer attending the said toll-gate for the time being, weekly for his extraordinary trouble in attending the said weighing-engine, shall be advanced and paid by the treasurers of the said several turnpike roads, in the shares and proportions following; videlicet, that the treasurer of the — road shall pay [one-half], [two-third], [three-fourth] parts thereof [as the trustees shall agree], and the treasurer of the — road shall pay the remaining [one-half], [one-third], or [one-fourth] part thereof; and that the money to be received at the said weighing-engine by forfeitures for overweight, shall be paid to the said respective treasurers in the like proportions, and applied by them for the use of the said respective turnpike roads.

‘(Signed)

No. IV.—Notice of a meeting of trustees for ordering a side gate to be erected.

‘Notice is hereby given, that the trustees of the turnpike roads under an act passed in the — year of the reign of King George the — “For [state the material parts of the title of the act], will meet at the house of — at — on the — day of — next, at the hour of — in the — noon, in order to consult about erecting a toll-gate on the side of the said turnpike road, at or near a place called — across a certain highway there, leading to —.

‘Dated the — day of —

‘A. B. Clerk to the said trustees.’

No. V.—Order of the trustees for erecting a side gate.

‘At a meeting of the trustees of the turnpike roads, under an act passed in the — year of the reign of King George the — “For [here state the material parts of the title of the act], being assembled this — day of — to enforce the directions of an act passed in the third year of the reign of King George the Fourth, “For regulating turnpike roads.” [as far as the same respects the erecting of side gates.]

‘In pursuance of public notice given in writing upon all the toll-gates erected on the said road, and also in the — newspapers circulated in this part of the county, for 14 days now last past, we do order, that a toll-gate shall be erected on the side of the said turnpike road, at or near a place called — across a certain highway there, leading to —, and that the following toll be taken at

the said gate, videlicet, [here insert the particular tolls to be taken at the said side gate.]

No. VI.—Notice for letting tolls.

‘Notice is hereby given, that the tolls arising at the toll-gate [or toll-gates, if more than one] upon the turnpike road at —, called or known by the name of the — gate, will be let by auction to the best bidder, at the house of — at — on the — day of — next, between the hours of — and — in the manner directed by the act passed in the third year of the reign of H. M. King George the Fourth, “For regulating turnpike roads,” which tolls produced the last year the sum of — above the expences of collecting them, and will be put up at that sum; whoever happens to be the best bidder, must at the same time pay one month in advance (if required) of the rent at which such tolls may be let, and give security, with sufficient sureties, to the satisfaction of the trustees of the said turnpike road, for payment of the rest of the money monthly. [or in such other proportions as shall be directed.]

‘A. B. Clerk to the trustees of the said turnpike road.’

No. VII.—Order of trustees for reducing the tolls.

‘At a meeting of the trustees of the turnpike roads, under an act passed in the — year of the reign of King George the — “For, &c. [state the principal part of the title of the act], held at — the — day of —.

‘We, whose names are subscribed, being — or more of the trustees acting under the said act, being now assembled for reducing the tolls authorized to be taken by and under the said act, pursuant to public notice given for that purpose in the — newspapers circulated in this part of the country, and also affixed upon all the turnpike-gates erected upon the said turnpike road, for upwards of one calendar month now last past, and having the consent of the several persons entitled to five-sixths parts of the money now remaining due upon the credit of the said tolls, this day signified and proved to us, do hereby order, that the tolls granted by the said act shall, from and after the — day of — be lessened and reduced in the following manner [here state the several reductions proposed to be made].’

No. VIII.—Agreement between the trustees of a turnpike road and a person liable by tenure to repair some part of it.

‘At a meeting of the trustees of the turnpike roads, under an act passed in the — year of the reign of King George the — “For [state the principal part of the title of the act], held at — the — day of —.

‘Whereas A. B. of — is liable by tenure, &c. [as the case shall be] to the repair of a certain highway leading between — and —, of the length of — yards or thereabouts, and the said highway being now made turnpike road by virtue of the said act, will occasion a greater expence to make and keep the same in proper repair than would have been necessary if no such act had been obtained, and the said A. B. attending this meeting in person [or, by C. D. his attorney or agent authorized to treat in his behalf], the said trustees and the said A. B., &c. in pursuance of a power given by an act passed in the third year of the reign of King George the Fourth, “For regulating turnpike roads,” have, in order to put and keep the said road in proper condition and repair, come to the following agreement, videlicet; that the said trustees shall on or before the — day of — next pay and allow the sum of — out of the tolls arising upon the said turnpike roads towards putting the said road into proper repair, to be laid out and expended by the surveyor of the said turnpike road, and that the said A. B. shall advance and pay into the hands of the treasurer of the said turnpike road, on or before the — day of — next, the sum of — to be also laid out and expended by the said surveyor in the repair of the said road, and that from and after the — next, the said turnpike road shall be kept in repair by the said trustees out of the said tolls as aforesaid, so long as the said turnpike act shall continue, upon the said A. B. paying into the hands of their treasurer the sum of — upon the — in every year, which the said A. B. doth hereby for himself and his heirs agree to pay accordingly, so long as the said road shall be so repaired by the said trustees as aforesaid.’

[Or, it shall be agreed that A. B. shall keep the road in repair upon having an annual allowance in money or statute-duty from the said trustees, let the agreement be varied and adapted to the case.]

No. IX.—MAGISTRATES’ SUMMONS.

‘To the surveyors of the highways of the parish of — in the county of —.

‘Upon application made by —, surveyor of the turnpike roads from —, appointed by the trustees for putting into execution an act of parliament passed in the — year of the reign of H. M. King George the —, intituled, “An Act — by order of the trustees for the said road to us, two of H. M.’s justices of the peace acting in and for the said county; we do hereby summon you, the surveyors of the highways of the parish or place of — in the said county, to deliver a list to the said — as such surveyor as aforesaid, at his house, situate in the said county, within — days after the service of this summons, of the names of the several persons, inhabitants of the said parish or place, and who are by law subject and liable to do statute-work for the present year upon the road situate in the said parish or place, or to the payment of any money in lieu of or as a composition for such statute-work, distinguishing the nature of the work to be done, whether with teams or draughts, or otherwise, and also the amount of the respective sums to be paid; and we the said justices do hereby require you to make such lists of names, in such manner and under such regulations and restrictions as is

or are directed by any law or statute now in force and effect for the repair of the public highways.

'And in case you shall refuse or wilfully neglect to give in such list as aforesaid, or shall knowingly or wilfully give in a false or imperfect list, you so offending will for every such offence forfeit and be liable to pay a sum not exceeding 10l.

'Given under our hands and seals this — day of — in the year of our Lord 182—.'

No. X.—Notice to be given to surveyors of highways.

[See 3 G. 4. c.126. s.104. which is REP. 4 G. 4. c.95. s.79, 80. pl.214.]

'To the surveyors of the highways of the parish or place of — in the county of —.

'I do hereby give you notice, that the list delivered by you to me as surveyor of the turnpike road from — to — in the said county of —, of the names of the several persons who within your said parish or place are by law liable to do statute-work for the present year, or to the payment of money in lieu of or as a composition for such statute-work, will be laid before two of H. M.'s justices of the peace for the said county, in pursuance of the directions of the act, passed in the — year of H. M. King George the —, intituled "An Act — on the — day of — at — in the said county, in order that such two justices may adjudge and determine what part or proportion of the statute-work for the said year shall be done upon the said road, and also what proportion of the composition money shall be paid to the trustees of the said road, or to their treasurer. And I do hereby give you further notice, that I shall apply to the justices for [one-half, one-third, as the case may be] of the statute-duty from your parish for this year, which according to the list delivered by you will be (say) — days in the whole — in composition money. If you object to this division, you will in course appear, but if not, the same will be confirmed by the justices, if they think proper.

'Dated this — day of —. Surveyor of the said turnpike road.'

No. XI.—Justices' order, apportioning statute labour.

'We, two of H. M.'s justices of the peace, acting in and for the to wit. } county of — upon application by — the surveyor appointed by the trustees of the turnpike road from — to — in the said county, in pursuance of an act of parliament passed in the — year of the reign of H. M. King George the —, intituled, *An Act for* — do adjudge and determine that the inhabitants of the parish of —, in the said county of — shall do — part or proportion of the statute-work for the ensuing year upon such turnpike road in the said parish of — being a parish in which the said road lies, and that — proportion of the money received by the surveyor or surveyors of the highways of such parish or place, in lieu of or as a composition for such statute-work, shall be by him or them paid to the said trustees of the said turnpike road, or to their treasurer, or other person authorized by them to receive the same, on or before the — day of —; the names of the several persons appointed to do such proportion of the statute-work on the said turnpike road appear in the schedule to this order.

'Given under our hands the — day of — 182 —. (Signed)

No. XII.—Order of justices at a special session to take part of the statute-duty from turnpike roads, for the benefit of other highways in the said parish, &c.

'County of — } At a special sessions held by the justices of the peace for the to wit. } said county, acting in the [hundred] of — within the said county, at — on the — day of —.

'Whereas application and complaint upon oath has been made unto us by A. B. surveyor of the [parish, &c.] of — that the several highways, not being turnpike, within the said [parish, &c.] are very extensive and in bad repair, and that a considerable part of the statute-duty arising within the said [parish, &c.] hath been called forth and required to be applied in the repair of certain turnpike roads lying within the said [parish, &c.] which are in good condition, and have a considerable revenue for their support, arising from the tolls collected thereupon; and we having duly summoned C. D. the surveyor of the said turnpike road to appear before us, to show cause why the said statute-duty called forth and applied by him to the repair of the said turnpike road, should not be withdrawn therefrom and applied to the repair of the other highways within the said [parish, &c.], and upon hearing the said C. D., and receiving an account of the revenues and debts of the said turnpike road, and of the state and condition of the repair of the said turnpike road and highway respectively; and it appearing to us, upon full consideration had thereupon, that part of the statute-duty hitherto employed by the said [parish, &c.] for the repair of the said turnpike road may be conveniently dispensed, without endangering the securities for the money advanced upon the credit of the tolls thereof, and that such statute-duty is wanted for the repairs of the other highways within the said parish; we, in pursuance of the power given to us by the act passed in the third year of the reign of King George the Fourth, "For regulating turnpike roads," do order, that from and after the — day of — next, there shall be only [one] day's statute-duty performed by the inhabitants of the said [parish, &c.] upon the said turnpike road within the same, and that the remainder of the statute-duty shall be performed upon the other highways within the said [parish, &c.]

[If there are more turnpike roads than one, or the whole statute-duty shall be thought fit to be taken away, this form must be varied to fit those cases. The summons to the surveyors will be very easily formed from this order.]

No. XIII. Certificate of the above order to the justices of the peace at their quarter sessions.

'I A. B. clerk to the trustees mentioned in the above order, do hereby certify to the justices of the peace for the [county] [riding] [division] of — at their general quarter sessions of the peace, that the above is a true copy of the order made by the said trustees for the purposes therein mentioned.

'Dated this — day of — A. B.'

No. XIV. Agreement by subscription for advancing money to make and repair a turnpike road or highway.

'We whose names are subscribed, do agree to advance and pay the several sums wrote by us opposite to our names, unto — to be laid out and expended in the making and repairing a certain highway leading from — to — after an act of parliament shall be obtained for making the same turnpike road, upon having the tolls to be collected upon such turnpike road assigned and made over to us as a security for the respective sums so to be advanced by us, together with interest for the same after the rate of — per centum per annum, which sums we do hereby severally agree to pay by instalments, in the following manner, *videlicet*; one-fourth part thereof on the — day of — next; one other fourth part, [&c. &c. &c.]

'Dated this — day of —.'

No. XV. Warrant from a justice of the peace to enter the toll-gate house and remove the persons therein.

'County of — } To the [constable], [headborough], [tithingman], of — in the to wit. } said county.

'Whereas complaint hath been made unto me A. B. esquire, one of H. M.'s justices of the peace for the said county, upon the oath of — and other evidence now produced to me, that C. D., who now inhabits the turnpike or toll-gate house at — upon the turnpike road leading from — to — and was appointed to collect the tolls there, hath been duly discharged by the trustees of the said turnpike road from any further collecting or receiving the tolls arising at the said gate, and hath refused and still doth refuse to quit the possession of the said house, and the said C. D. having been summoned to appear before me this day, to show cause why he should not be removed from the said house, and having shown no sufficient cause for that purpose [or, not having appeared], I do hereby authorize and require you, with such assistance as shall be necessary, to enter into the said toll-house or turnpike-house, and the buildings belonging thereto, in the day time, and to remove the said C. D. and all such persons as shall be found therein, together with his and their goods, out of such house and buildings, and to put E. F., the person lately appointed by the trustees to collect such tolls, into the possession thereof, for which this shall be your sufficient warrant.

'Given under my hand and seal this — day of —.'

[This form may be varied to suit the case of the widow or family of a deceased collector.]

No. XVI.—Bond from the surveyor.

'We, A. B. surveyor of the turnpike roads, under an act passed in the — year of the reign of King George the — "For [state the principal part of the title of the act] and C. D. of — are bound to E. F. of — in the sum of — pounds, to be paid to the said E. F. his executors, administrators, and assigns, for which payment we hereby bind ourselves severally, and each of our heirs, executors, and administrators.

'Dated the — day of —

'The condition of this bond is such, that if the said A. B., his executors or administrators, shall duly and faithfully account for, apply, and pay all and every the sum and sums of money which hath come or shall come to his hands as surveyor of the turnpike road aforesaid, according to the direction and true intent and meaning of the said act, and of the statute made in the third year of the reign of H. M. King George the Fourth, "For regulating turnpike roads," then this bond to be void, or else to remain in full force.'

[The bond from the treasurer will be in the same form.]

No. XVII.—Summons for any person or persons to attend a justice or justices.

'County of — } To A. B. of — o wit. }

'Whereas complaint and information hath been made before me, C. D. one of H. M.'s justices of the peace for the said [county, &c.] by E. F. of —, That, &c. [here state the nature and circumstances of the case, as far as it shall be necessary to show the offence, and to bring it within the authority of the justice, and in doing that, follow the words of the act, as near as may be]. These are therefore to require you personally to appear before me [or, the justices to be assembled at their special sessions to be holden], at — in the said [county, &c.] on the — day of — next, at the hour of — in the — noon, to answer to the said complaint and information made by the said E. F. who is likewise directed to be then and there present, to make good the same. Herein fail not.

'Given under my hand this — day of —'

No. XVIII. — Information.

'County of — } Be it remembered, that on the — day of — A. B. of — in the
to wit. } said county, informeth me — one of H. M.'s justices of the
peace for the said county, that — of — in the said county [*here describe the
offence, with the time and place, and follow the words of the act, as near as may
be*], contrary to the statute made in the third year of the reign of King George
the Fourth, "For regulating turnpike roads," which hath imposed a
forfeiture of — for the said offence.

'Taken the — day of — before me,

A. B.'

No. XIX. — Form of conviction.

'County of — } Be it remembered, that on the — day of — in the — year of
to wit. } the reign of — and in the year of our Lord — A. B. is
convicted before me — one of H. M.'s justices of the peace for the said
county, for [*here specify the offence, and when and where committed*], contrary
to the form of the statute made in the — year of the reign of — intituled [*here
set forth the title of the act*], and I do hereby declare and adjudge that the said
A. B. hath forfeited, for the said offence, the sum of — [or, shall be committed
to — for the space of — as the case may be].

'Given under my hand and seal the day and year first above written,

C. D.'

No. XX. — Warrant to distrain for forfeiture.

'To the [constable], [headborough], or [tithingman] of —.

'County of — } Whereas A. B. of — in the said county, is this day convicted
to wit. } before me, C. D. esq. one of H. M.'s justices of the peace in
and for the said county, upon the oath of G. H. a credible witness, for that
the said A. B. hath [*here set forth the offence, describing it particularly in the
words of the statute, as near as may be*] (contrary to the statute in that case
made and provided), by reason whereof the said A. B. hath forfeited the sum
of — to be distributed as herein is mentioned, which he hath refused to pay:
these are therefore in H. M.'s name to command you to levy the said sum of
— by distress of the goods and chattels of him the said A. B.; and if within
the space of four days next after such distress by you taken, the said sum,
together with the reasonable charges of taking and keeping the same, shall not
be paid, that then you do sell the said goods and chattels so by you distrained,
and out of the money arising by such sale, that you do pay one-half of the
said sum of — to E. F. of —, who informed me of the said offence, and the
other half of the said sum of — to I. K. the surveyor of the turnpike road
[*describing it*] where the said offence [neglect or default] happened, to be
employed towards the repair of the said road, returning the overplus on
demand to him the said A. B. [the reasonable charges of taking, keeping, and
selling the said distress being first deducted]; and if sufficient distress cannot
be found of the goods and chattels of the said A. B. whereon to levy the said
sum of — that then you certify the same to me, together with this warrant.

'Given under my hand and seal the — day of —.

C. D.'

No. XXI. — Return of the constable, to be made upon the warrant of distress, where there are no effects.

'I A. B. constable of the [parish, &c.] of — in the county of —, do hereby
certify and make oath, that by virtue of this warrant I have made diligent
search for the goods of the within-named — and that I can find no sufficient
goods whereon to levy the within sum of —

'As witness my hand, the — day of —

A. B.

'Sworn before me, the day and year, &c. —

C. D.'

No. XXII. — Commitment for want of distress.

'County of — } To the [constable] of — in the said county, and to the
to wit. } keeper of the common gaol [or, the house of correction]
at — in the said county.

'Whereas A. B. of — in the said county, was on the — day of — convicted
before me C. D. esq. one of H. M.'s justices of the peace in and for the said
county, upon the oath of E. F. a credible witness, for that he the said A. B.
[*here set forth the offence*], contrary to the statute made in the third year of the
reign of H. M. King George the Fourth, "For regulating turnpike roads," by
reason whereof the said A. B. hath forfeited the sum of —. And whereas on
the — day of — in the year aforesaid, I did issue my warrant to the [constable]
of — to levy the said sum of — by distress and sale of the goods and chattels
of him the said A. B., and to distribute the same according to the directions of
the said statute: And whereas it duly appears to me, upon the oath of the
said [constable], that the said [constable] hath used his best endeavours to levy
the said sum on the goods and chattels of the said A. B. as aforesaid; but
that no sufficient distress can be had whereon to levy the same: These are
therefore to command you, the said [constable] of — aforesaid, to apprehend
the said A. B. and him safely to convey to the common gaol [or house of
correction] at — in the said county, and there deliver him to the keeper thereof,
together with this precept: And I do also command you the said keeper, to
receive and keep in your custody the said A. B. for the space of three months,
unless the said sum shall be sooner paid, pursuant to the said conviction and
warrant; and for so doing this shall be your sufficient warrant.

'Given under my hand and seal, the — day of — in the year of our Lord,

C. D.'

No. XXIII. — Notice of appeal to the quarter sessions.

'A. B. Take notice, that I intend to appeal to the next general quarter-
sessions of the peace to be holden for the [county, &c.] of — against an order
[conviction, or other proceeding], (*as the case may be*) [*particularly specifying
the purport of such order, &c. and assigning the grievance and cause of com-
plaint.*]

'Dated the — day of —

C. D.'

No. XXIV. — General Statement of the income and expenditure of the [insert the name of the particular road] between the — day of — and the — day of — [See 3 G. 4. c. 126. s. 78. pl. 80.]

EXPENDITURE.		INCOME.	
	£ s. d.		£ s. d.
To surveyor's account of day labour, between the — day of — and the — day of — for maintenance or repair of roads —		By balance in treasurer's hands — — —	
To surveyor's account of team labour, between the — day of — and the — day of — — —		By amount of rents received from the lessees, or tolls received from the gatekeepers, between the — day of — and the — day of —, as follows [<i>here specify the respective gates, and the different amounts received</i>]	
To surveyor's account for work executed by contract, specifying the amount done, and the rate of contract paid —		By amount of statute-labour between the — day of — and the — day of —, as follows [<i>here specify the amount paid by each parish, hamlet, township, or place</i>] — — —	
To surveyor's accounts for repair, or maintenance, or building of houses, gates, or bridges — — —		By amount of money borrowed on security of tolls [<i>if any</i>] —	
To surveyor's account for land purchased, or for damages done — — —		By incidental receipts — — —	
To surveyor's account for rent of quarries — — —			
To salaries and other payments of clerks, surveyors, or other officers — — —			
To printing, advertising, and stationery — — —			
To interest of debt — — —			
To incidental charges — — —			
£		£	

General Statement of Debts and Credits.

	£ s. d.		£ s. d.
An account of the amount of debt bearing interest —		Arrears of rents [or tolls] due, not received, as under:	
An account of interest due — — —		<i>Insert the names of the lessees [or of gates], and when due.</i>	
An account of floating debt — — —		<i>Also insert any other monies due to the trust on any other account.</i>	
£		£	

or any of his or her family whom he or she may be legally bound to maintain, shall have become chargeable to any parish, township, or place; every person returning to and becoming chargeable in any parish, township, or place from whence he or she shall have been legally removed by order of two justices of the peace, unless he or she shall produce a certificate of the churchwardens and overseers of the poor of some other parish, township, or place, thereby acknowledging him or her to be settled in such other parish, township, or place; every petty chapman or pedlar wandering abroad and trading, without being duly licensed, or otherwise authorized by law; every common prostitute wandering in the public streets or public highways, or in any place of public resort, and behaving in a riotous or indecent manner; and every person wandering abroad, or placing himself or herself in any public place, street, high way, court, or passage, to beg or gather alms, or causing or procuring or encouraging any child or children so to do, shall be deemed an idle and disorderly person within the true intent and meaning of this act; and it shall be lawful for any justice of the peace to commit such offender (being thereof convicted before him by his own view, or by the confession of such offender, or by the evidence on oath of one credible witness) to the house of correction, there to be kept to hard labour for any time not exceeding one calendar month, 5 G. 4. c. 83. s. 3.

6. Every person committing any of the offences herein-before mentioned, after having been convicted as an idle and disorderly person; every person pretending or professing to tell fortunes, or using any subtle craft, means, or device, by palmistry or otherwise, to deceive and impose on any of H. M.'s subjects; every person wandering abroad and lodging in any barn or outhouse, or in any deserted or unoccupied building, or in the open air, or under a tent, or in any cart or waggon, not having any visible means of subsistence, and not giving a good account of himself or herself; every person wilfully exposing to view, in any street, road, highway, or public place, any obscene print, picture, or other indecent exhibition; every person wilfully, openly, lewdly, and obscenely exposing his person in any street, road, or public highway, or in the view thereof, or in any place of public resort, with intent to insult any female; every person wandering abroad and endeavouring by the exposure of wounds or deformities to obtain or gather alms; every person going about as a gatherer or collector of alms, or endeavouring to procure charitable contributions of any nature or kind, under any false or fraudulent pretence; every person running away and leaving his wife, or his or her child or children, chargeable, or whereby she or they or any of them shall become chargeable to any parish, township, or place; every person playing or betting in any street, road, highway or other open and public place, at or with any table or instrument of gaming, at any game or pretended game of chance; every person having in his or her custody or possession any picklock key, crow, jack, bit, or other implement, with intent feloniously to break into any dwelling-house, warehouse, coach-house, stable, or outbuilding, or being armed with any gun, pistol, hanger, cutlass, bludgeon, or other offensive weapon, or having upon him or her any instrument, with intent to commit any felonious act; every person being found in or upon any dwelling-house, warehouse, coach-house, stable, or outhouse, or in any inclosed yard, garden, or area, for any unlawful purpose; every suspected person or reputed thief, frequenting any river, canal, or navigable stream, dock, or basin, or any quay, wharf, or warehouse near or adjoining thereto, or any street, highway, or avenue leading thereto, or any place of public resort, or any avenue leading thereto, or any street, highway, or place adjacent, with intent to commit felony; and every person apprehended as an idle and disorderly person, and violently resisting any constable or other peace-officer so apprehending him or her, and being subsequently convicted of the offence for which he or she shall have been so apprehended, shall be deemed a rogue and vagabond, within the true intent and meaning of this act; and it shall be lawful for any justice of the peace to commit such offender (being thereof convicted before him by the confession of such offender, or by the evidence on oath of one credible witness) to the house of correction, there to be kept to hard labour for any time not exceeding three calendar months; and every such picklock key, crow, jack, bit, and other implement, and every such gun, pistol, hanger, cutlass, bludgeon, or other offensive weapon, and every such instrument as aforesaid, shall, by the conviction of the offender, become forfeited to the King, 5 G. 4. c. 83. s. 4.

7. Every person breaking or escaping out of any place of legal confinement before the expiration of the term for which he or she shall have been committed or ordered to be confined by virtue of this act; every person committing any offence against this act which shall subject him or her to be dealt with as a rogue and vagabond, such person having been at some former time adjudged so to be and duly convicted thereof; and every person apprehended as a rogue and vagabond, and violently resisting any constable or other peace-officer so apprehending him or her, and being subsequently convicted of the offence for which

he or she shall have been so apprehended, shall be deemed an incorrigible rogue within the true intent and meaning of this act; and it shall be lawful for any justice of the peace to commit such offender (being thereof convicted before him by the confession of such offender or by the evidence on oath of one credible witness) to the house of correction, there to remain until the next general or quarter sessions of the peace; and every such offender who shall be so committed to the house of correction, shall be there kept to hard labour during the period of his or her imprisonment, 5 G. 4. c. 83. s. 5.

8. It shall be lawful for any person whatsoever to apprehend any person who shall be found offending against this act, and forthwith to take and convey him or her before some justice of the peace, to be dealt with in such manner as is herein-before directed, or to deliver him or her to any constable or other peace-officer of the place where he or she shall have been apprehended, to be so taken and conveyed; and in case any constable or other peace-officer shall refuse or wilfully neglect to take such offender into his custody, and to take and convey him or her before some justice of the peace, or shall not use his best endeavours to apprehend and to convey before some justice of the peace any person that he shall find offending against this act, it shall be deemed a neglect of duty in such constable or other peace-officer, and he shall on conviction be punished in such manner as is herein-after directed, 5 G. 4. c. 83. s. 6.

9. It shall be lawful for any justice of the peace, upon oath being made before him that any person hath committed or is suspected to have committed any offence against this act, to issue his warrant to apprehend and bring before him or some other justice of the peace the person so charged, to be dealt with as is directed by this act, 5 G. 4. c. 83. s. 7.

10. It shall be lawful for any constable, peace-officer, or other person apprehending any person charged with being an idle and disorderly person, or a rogue and vagabond, or an incorrigible rogue, to take any horse, mule, ass, cart, car, caravan, or other vehicle, or goods in the possession or use of such person, and to take and convey the same as well as such person before some justice of the peace, and for every justice of the peace by whom any person shall be adjudged to be an idle and disorderly person, or a rogue and vagabond, or an incorrigible rogue, to order that such offender shall be searched, and that his or her trunks, boxes, bundles, parcels, or packages shall be inspected in the presence of the said justice, and of him or her, and also that any cart, car, caravan, or other vehicle which may have been found in his or her possession or use, shall be searched in his or her presence; and it shall be lawful for the said justice to order that any money which may be then found with or upon such offender shall be paid and applied for and towards the expence of apprehending, conveying to the house of correction, and maintaining such offender during the time for which he or she shall have been committed; and if upon such search money sufficient for the purposes aforesaid be not found, it shall be lawful for such justice to order that a part, or if necessary the whole of such other effects then found, shall be sold, and that the produce of such sale shall be paid and applied as aforesaid, and also that the overplus of such money or effects, after deducting the charges of such sale, shall be returned to the said offender, 5 G. 4. c. 83. s. 8.

11. When any justice as aforesaid shall commit any such incorrigible rogue to the house of correction, there to remain till the next general or quarter sessions, or when any such idle and disorderly person, rogue, and vagabond, or incorrigible rogue, shall give notice of his or her intention to appeal against the conviction of him or her, and shall enter into recognizance as herein-after directed to prosecute such appeal, such justice shall require the person by whom such offender shall be apprehended, and the person or persons whose evidence shall appear to him to be material to prove the offence and to support such conviction, to become bound in recognizance to H. M., his heirs and successors, to appear at the said general or quarter sessions, to give evidence against such offender touching such offence; and the justices of the peace at their said general or quarter sessions are hereby authorized and empowered, at the request of any person who shall have become bound in any such recognizance, to order the treasurer of the county, riding, division, or place in which the offence shall have been committed, to pay unto such prosecutor, and unto the witness or witnesses on his or her behalf, such sum of money as to the court shall seem reasonable and sufficient to reimburse such prosecutor and such witness or witnesses respectively for the expences he, she, or they shall have been severally put to, and for his, her, or their trouble and loss of time in and about such prosecution; which order the clerk of the peace is hereby directed and required forthwith to make out and deliver unto such prosecutor, or unto such witness or witnesses, upon being paid for the same the sum of 2s. and no more; and the said treasurer is hereby authorized and required, upon sight of such order, forthwith to pay unto such prosecutor or other person or persons authorized to receive the same, such money as aforesaid, and the said treasurer shall be allowed the same in his

account; and in case any such person or persons as aforesaid shall refuse to enter into such recognizance, it shall be lawful for such justice to commit such person or persons so refusing to the common gaol, there to remain until he, she, or they shall enter into such recognizance, or shall be otherwise discharged by due course of law, 5 G. 4. c. 83. s. 9.

12. When any incorrigible rogue shall have been committed to the house of correction, there to remain until the next general or quarter sessions, it shall be lawful for the justices of the peace there assembled to examine into the circumstances of the case, and to order, if they think fit, that such offender be further imprisoned in the house of correction, and be there kept to hard labour for any time not exceeding one year from the time of making such order, and to order further, if they think fit, that such offender (not being a female) be punished by whipping, at such time during his imprisonment, and at such place within their jurisdiction, as according to the nature of the offence they in their discretion shall deem to be expedient, 5 G. 4. c. 83. s. 10.

13. In case any constable or other peace-officer shall neglect his duty in any thing required of him by this act, or in case any person shall disturb or hinder any constable or other peace-officer in the execution of this act, or shall be aiding, abetting, or assisting therein, and shall be thereof convicted upon the oath of one credible witness before one or more justice or justices of the peace where such offence shall be committed, every such offender shall for every such offence forfeit any sum not exceeding 5*l.*; and in case such offender shall not forthwith pay such sum so forfeited, the same shall be levied by distress and sale of the offender's goods, by warrant from such justice or justices; and if sufficient distress cannot be found, it shall be lawful to and for one or more such justice or justices to commit the person so offending to the house of correction, there to be kept for any time not exceeding three calendar months, or until such fine be paid; and the said justice or justices shall cause the said fine, when paid, to be forthwith delivered to the treasurer of the county, riding, division, or place where such offence shall have been committed, to be by him added to and used as part of the stock of the said county, riding, division, or place, 5 G. 4. c. 83. s. 11.

14. In case any constable or other peace-officer shall be convicted before any one or more justice or justices of the peace, for any neglect of any duty required of him by this act, or of any disobedience of any lawful warrant or order of any justice or justices of the peace issued under the provisions of this act, and in case any two or more justices of the peace shall impose any fine, or direct any penalty to be paid by such officer, under and by virtue of the powers given to justices of the peace by 35 G. 3. c. 55. [Stat. Dig. tit. JUSTICES OF PEACE, pl. 127.] intituled, *An Act to authorize justices of the peace to impose fines upon constables, overseers, and other peace or parish-officers, for neglect of duty, and on masters of apprentices for ill-usage of such their apprentices, and also to make provision for the execution of warrants of distress granted by magistrates, or under any other powers enabling such justices in that behalf, then it shall be lawful for such justice or justices, upon conviction of any such offender, to reimburse to the person on whose complaint or information such offender shall have been convicted, all necessary costs and expences which such person may thereby have incurred, or by any appeal made in consequence thereof, by making an order under his or their hands and seals upon the treasurer of the county, riding, division, or place, to pay to such person the amount of such costs and expences, on producing the said order and giving a receipt for the same, and the same shall be allowed the said treasurer in his account, 5 G. 4. c. 83. s. 12.*

15. It shall be lawful for any justice of the peace, upon information on oath before him made, that any person herein-before described to be an idle and disorderly person, or a rogue and vagabond, or an incorrigible rogue, is or is reasonably suspected to be harboured or concealed in any house kept or purporting to be kept for the reception, lodging, or entertainment of travellers, by warrant under his hand and seal to authorize any constable or other person to enter at any time into such house, and to apprehend and bring before him or any other justice of the peace every such idle and disorderly person, rogue, and vagabond, and incorrigible rogue as shall be found therein, to be dealt with in the manner herein-before directed, 5 G. 4. c. 83. s. 13.

16. Any person aggrieved by any act or determination of any justice or justices of the peace out of sessions, in or concerning the execution of this act, may appeal to the next general or quarter sessions for the county, riding, division, or place in and for which such justice or justices shall have so acted, giving to the justice or justices of the peace whose act or determination shall be appealed against, notice in writing of such appeal, and of the ground thereof, within seven days after such act or determination, and before the next general or quarter sessions, and entering within such seven days into a recognizance, with sufficient surety, before a justice of the peace for the county or place in which such person shall have been convicted, personally to appear and prosecute such appeal; and upon such notice being given, and such recognizance being entered into, such justice is hereby empowered to discharge such person

out of custody; and the court at such general or quarter sessions shall hear and determine the matter of such appeal, and shall make such order therein as shall to the said court seem meet, and in case of the dismissal of the appeal, or the affirmance of the conviction, shall issue the necessary process for the apprehension and punishment of the offender, according to the conviction, 5 G. 4. c. 83. s. 14.

17. Provided, that nothing herein contained shall extend so as to restrain, hinder, or prevent any visiting justice of any county gaol, house of correction, or other prison, from granting a certificate or other instrument for enabling any person discharged from a county gaol, house of correction, or other prison, to have or receive alms or relief in or upon his or her route to his or her place of settlement; provided, that such certificate be made and drawn up in compliance with the directions and provisions of any act of parliament for the better regulation and management of gaols, houses of correction, or prisons; and if any person to whom any such certificate or instrument shall be delivered shall act in any manner contrary to the directions or provisions of such certificate or instrument, or shall loiter upon his or her route, or shall deviate therefrom, every such person shall be and be deemed to be a rogue and vagabond within the provisions and directions of this act, and shall be punished accordingly, 5 G. 4. c. 83. s. 15.

18. From and after the passing of this act [21st June 1824], no justice of the peace, mayor, or other magistrate shall grant to any person, other than a person entitled thereto under 43 G. 3. c. 61. [Stat. Dig. tit. VAGRANT, pl. 76.], intituled, *An Act for the relief of soldiers, sailors, and marines, and of the wives of soldiers in the cases therein mentioned, so far as relates to Eng.*, any certificate or other instrument enabling such person to ask alms or relief in their route to any place, or for any other purpose whatever; and every person asking alms or relief under and by virtue of any certificate or other instrument hereby prohibited, is liable to be declared to be an idle and disorderly person in like manner as if he or she had possessed no such certificate or other instrument as aforesaid, 5 G. 4. c. 83. s. 16. [See 58 G. 3. c. 92. Stat. Dig. (ADDEN.), tit. VAGRANT.]

19. No proceeding to be had before any justice or justices of the peace under this act shall be quashed for want of form; and every conviction of any offender as an idle and disorderly person, or as a rogue and vagabond, or as an incorrigible rogue, under this act, shall be in the form or to the effect following, or as near thereto as circumstances will permit; (that is to say),

} Be it remembered, that on the — day of — in the year of our Lord to wit. } — at — in the county of —, A. B. is convicted before me C. D. one of H. M.'s justices of the peace in and for the said county, of being an idle and disorderly person [or a rogue and vagabond, or an incorrigible rogue] within the intent and meaning of the statute made in the fifth year of the reign of H. M. King George the Fourth, intituled, *An Act [here insert the title of this act]*; that is to say, for that the said A. B. on the — day of — at — in the said county [here state the offence proved before the magistrate], and for which said offence the said A. B. is ordered to be committed to the house of correction at —, there to be kept to hard labour for the space of — [or until the next general or quarter sessions.] Given under my hand and seal the day, year, and at the place first above-written.

And the justice or justices of the peace before whom any such conviction shall take place shall, and he and they is and are hereby required to transmit the said conviction to the next general or quarter sessions of the peace to be holden in and for the county, riding, division, or place wherein such conviction shall have taken place, there to be filed and kept on record; and a copy of the conviction so filed, duly certified by the clerk of the peace, shall and may be read as evidence in any court of record, or before any justice or justices of the peace acting under the powers and provisions of this act, 5 G. 4. c. 83. s. 17.

20. In all cases where an action shall be brought against any justice of the peace, constable, or other person, for or on account of any matter or thing whatsoever done or commanded by him in the execution of his duty under this act, such justice, constable, or other person, if he shall have judgment in his favour, shall have treble costs awarded to him by the court, unless the judge shall certify that there was a reasonable cause for such action, 5 G. 4. c. 83. s. 18.

21. Every such action shall be commenced within three calendar months after the cause of action or complaint shall have arisen, and not afterwards; and if any person or persons shall be sued for any matter or thing which he, she, or they shall have done in the execution of this act, he, she, or they may plead the general issue, and give the special matter in evidence, 5 G. 4. c. 83. s. 19.

22. Every person who under this act shall have been convicted as an idle and disorderly person, or as a rogue and vagabond, shall be deemed to be actually chargeable to the parish, township, or place in which such person shall reside; and shall be liable to be removed to his or her last legal settlement, by the order of two justices of the peace of the division or place in which such person shall reside, 5 G. 4. c. 83. s. 20.

23. Provided, that wherever by any act of parliament now in force it is directed that any person shall be punished as an idle and disorderly person, or as a rogue and vagabond, or as an incorrigible rogue, for any offence specified in such act, and not herein-before provided for, in every such case, whether such person shall or shall not have committed any offence against this act, every such person shall be punished under the provisions, powers, and directions of this act, 5 G. 4. c. 83. s. 21.

24. Provided, that nothing herein contained shall be construed to extend or apply to *Scot.* or *Ire.*, nor to alter any law now in force for the removal of poor persons born in *Scot.*, *Ire.*, or the *Isles of Man*, *Jersey*, and *Guernsey*, and becoming chargeable to parishes in *Eng.*, such persons not having committed acts of vagrancy as herein-before described, nor to alter any law now in force relating to lunatic vagrants, 5 G. 4. c. 83. s. 22.

WALES. (COURTS OF GREAT SESSIONS.)

1. To enlarge and extend the power of the judges of the several courts of great sessions in *Wa.*, and to amend the laws relating to the same, 5 G. 4. c. 106. [REP. as to s. 29. by 6 G. 4. c. 50. tit. JURY.]

2. Whereas difficulties have arisen in H. M.'s courts of great sessions in *Wa.* from a want of power in the judges of such courts respectively to compel any person residing out of the jurisdiction of any such courts respectively, to attend as a witness on any trial or cause therein: and whereas inconvenience has been experienced for want of power in the judges of the said courts of great sessions to issue commissioners for taking of answers, examinations, and affidavits, and for the examination of witnesses, at places out of the respective jurisdictions of the said courts, and of administering oaths to the persons putting in such answers and examinations, and making such affidavits, and being examined as witnesses: and whereas difficulties have arisen in H. M.'s courts of great sessions in *Wa.* with respect to enforcing rules, orders, and decrees of the said courts, against persons who have entered appearances in suits instituted in such courts, or have come in as creditors or purchasers, and submitted to the jurisdiction thereof, but by reason of their residence being out of the limits of the jurisdiction of the said courts, or of their having withdrawn themselves therefrom, are not amenable to the process thereof: and whereas it is advisable that further provisions be made for discouraging the practice of commencing frivolous and vexatious suits in H. M.'s courts at *Westminster*, in causes of action arising within the dominion and principality of *Wa.*, and also to expedite suits in the said several courts of great sessions, and provide for new trials, and regulate the practice therein: and whereas it is therefore expedient that the powers of the judges of the said courts should be enlarged and extended, and the laws and usages relating to the same be amended: and whereas it is also expedient to regulate the fees and King's silver payable on fines and recoveries levied and suffered within the principality of *Wa.*, and to provide for the more effectually levying and suffering the same: be it enacted, That from and after the passing this act [24th June 1824], when and as often as the attendance of any person shall or may be deemed necessary as a witness to give evidence in, about, or concerning any suit, cause, trial, commission, or issue, prosecuted, brought, and depending in or before any of the said courts of great sessions, and such person shall not, when his attendance is so deemed necessary, be resident within the jurisdiction of the said court of great sessions, where such his attendance may be so deemed necessary, but be resident at such time in *Eng.* or *Wa.*, in all such cases it shall be lawful for any of the parties in the said suits, trial, commission, or issue, to apply to the proper officer of H. M.'s courts of exchequer at *Westminster*, and such officer is hereby authorized to issue a writ or writs of *subpœna ad testificandum*, or any writ or writs of *subpœna duces tecum*, on demand, in like manner as the same is or are issuable by the said court of exchequer in any cause, trial, suit, commission, or issue depending therein; and such writ or writs of *subpœna ad testificandum* and of *subpœna duces tecum* shall be directed to such person, commanding such person to attend and give evidence as a witness in such court of great sessions, upon such cause, trial, commission, suit, or issue so prosecuted and depending therein; and such person shall be compelled and compellable to attend the same, in like manner and under such penalties as if the said writ or writs had issued to command his attendance in the said court of exchequer, in, upon, or concerning any suit, cause, trial, commission, or issue depending therein; and any such party, on whose behalf any such writ or writs shall be issued, in default of obedience to any such writ or writs by the person to whom the same may be directed, and on whom the same shall be served, shall have the like remedy against such person for such default, as if the said writ or writs had issued from the said court of exchequer, to compel such person to attend and give evidence thereon; provided, that in every case where a new

cause or issue is commenced, it shall and may be lawful for the marshal of the said court of great sessions in which such new cause or issue is commenced, in the name of a justice of such court, to issue such writs of *subpœna ad testificandum* or of *subpœna duces tecum*, as either of the parties to the said suit shall require; and in case of disobedience to any such writ, the parties shall have the like remedy in the said court of exchequer as if the said writ or writs had been directly issued out of that court, 5 G. 4. c. 106. s. 1.

3. Whereas it may be expedient, for the better and more perfect administration of justice in *Wa.*, that the court of K. B., C. P., and exchequer should in certain cases have the power of granting new trials of causes which have been commenced and been tried in the said court of great sessions; be it therefore enacted, That from and after the passing of this act [24th June 1824], it shall and may be lawful for any party, who shall be dissatisfied with any verdict given or obtained, or nonsuit entered against him, in any action which shall have been tried in any of the said courts of great sessions, to apply by motion to any of the said courts of K. B., C. P. or exchequer sitting *in banco*, for a rule to show cause why a new trial of such action should not be granted, or nonsuit set aside and a new trial granted, or a verdict entered for the plaintiff or defendant, or a nonsuit entered, as the case may be, in the same manner as hath been usually heretofore done in actions depending in the said courts, and tried at *nisi prius* before any judge of assize, by virtue of any record issuing out of the said courts; and that thereupon it shall and may be lawful for the said courts to grant such rule, and proceed to hear and determine the merits of the same, in such manner and form as hath been heretofore done in actions depending in the said last-mentioned courts, and tried as aforesaid; and in case the courts shall make the said rule absolute, which they are hereby authorized and empowered to do, and order a new trial to be had between the parties in such action, that upon the party who shall have obtained such rule delivering an office copy of such rule so made absolute, to the proper officer of the court of great sessions where such cause was tried, all proceedings upon the former verdict or nonsuit so obtained in the said courts of great sessions shall cease, and the said actions shall proceed to trial at the next or some other great sessions, to be holden in and for the county in which the same was tried as aforesaid, in like manner as if no trial had been had therein; or in case of a verdict being ordered to be entered for the plaintiff or defendant, or a nonsuit being ordered to be entered, (as the case may be,) judgment shall be entered accordingly, 5 G. 4. c. 106. s. 2.

4. A transcript of the record for which such new trial shall be moved, or motion made for altering the verdict, or entering or setting aside a nonsuit, certified by the prothonotary of the said courts of great sessions respectively, or his deputy, shall be transmitted to the court to which such application shall be made as aforesaid, for the purpose of such motion for a new trial, or setting aside such nonsuit and granting a new trial thereon, or entering a verdict for the plaintiff or defendant, or entering a nonsuit, and which transcript the said prothonotary or his deputy is hereby authorized to deliver on demand, on payment of the usual fee; and the costs of such application for a new trial and setting aside such nonsuit, or entering a verdict for plaintiff or defendant, or entering a nonsuit, shall be in the discretion of the said court to award and order to and by which party to such motion the same shall be paid; provided, that nothing herein contained shall be deemed or taken to prevent any of the said courts of great sessions from granting any new trial, or setting aside any nonsuit, or entering a nonsuit, or altering a verdict, according to any rule established therein, 5 G. 4. c. 106. s. 3.

5. It shall be lawful for the said court, to which such applications shall be made, or any commissioner appointed to take affidavits [See s. 9. pl. 10.] therein, to administer an oath to any person making an affidavit either to obtain such rule, or show cause against the same as aforesaid; and every person forswearing himself, in such affidavit [See s. 10. pl. 11.], shall incur and be liable to the same penalties as if such affidavit

had been made and sworn in an action depending in the said court; provided, that nothing in this act contained shall extend to stay or delay the entering up judgment which shall have been given or obtained in any action in any of the said courts of great sessions, and suing out execution thereon, unless the party intending to apply under this act for a new trial thereof, or for alteration of the verdict, or entering or setting aside a nonsuit, with two sufficient sureties, such as the court of great sessions wherein such action shall be depending shall allow of, shall first before such stay made be bound unto the party for whom such verdict or nonsuit shall have been given or obtained, by recognizance to be acknowledged in the same court, in such reasonable sum as the same court of great sessions shall think fit, to make and prosecute such application for such new trial or alteration of verdict, or entering or setting aside a nonsuit, and also to satisfy and pay, if such application shall be refused, all and singular the debts, damages and costs adjudged and to be adjudged in consequence of the said verdict, or nonsuit, in the said court of great sessions, and all costs and damages to be also awarded for the delaying of execution thereon; and upon such recognizance being entered into, the said court of great sessions is hereby authorized to stay all proceedings in such action; and further, that the entering up of judgment in any of the said courts of great session, in any writ of dower or action of ejectment, and suing out execution thereon, shall not be stayed, unless the party or parties intending to apply for a new trial, or to alter the verdict or enter or set aside a nonsuit therein under the provisions of this act, shall be bound in manner aforesaid unto the party in whose favour such verdict or judgment of nonsuit shall have been given or obtained, in such reasonable sums as the court of great sessions in which such action shall be depending shall think fit, with condition, that if such application shall not be made and prosecuted, or shall be refused, the party so intending to make such application shall pay such costs, damages, and sum of money as shall be awarded by the said court of great sessions, in case no such application shall have been made and prosecuted, or after such application shall have been refused; and upon such recognizance being entered into, the said court of great sessions is hereby authorized to stay all proceedings in such action, 5 G. 4. c. 106. s. 4.

6. And to the end that the same sum and damages may be ascertained, it is further enacted, That the court of great sessions wherein such action shall be depending, upon such failure to make and prosecute such application, or such refusal as aforesaid, shall issue a writ (if necessary) to inquire as well of the mesne profits as of the damages by any waste committed after such verdict or nonsuit in such writ of dower or action of ejectment shall have been given or obtained; and upon the return thereof, judgment shall be given, and execution awarded for such mesne profits and damages, and also for costs of suit, 5 G. 4. c. 106. s. 5.

7. And whereas all writs of execution issued upon judgments obtained in the said courts of great sessions in *Wa.*, are now returnable only at the great sessions held for the respective counties; and sheriffs frequently delay executing the same for many months, and often refuse to make returns to such writs, or to pay over the money received by them; and sheriffs may also refuse to return bailable processes, returnable in the vacation, until the following great sessions, to the great prejudice of the suitors of the said court; for remedy whereof, and facilitating the proceedings of the said courts, be it enacted, That from and after the passing of this act, 24th June 1824, all writs of execution upon judgments obtained in the said courts of great sessions shall be made returnable before the judges of such courts respectively, on the common day in each of the two vacations annually betwixt the two sessions (being the first days of *Trinity* term after the spring sessions, and the first day of *Hilary* term after the autumn sessions), or on the first day of the next sessions, at the election of the party obtaining such judgment, or his attorney, who shall sue out the same; and that the sheriffs (to whom any such writ of execution, or bailable writ issued out of the said courts, returnable in the vacation, shall be delivered) shall make due returns of such writs at the time the same shall be returnable, and file such writs and returns with the proper officer of such courts, or as soon afterwards as such sheriff shall be called upon by a rule of the same courts, 5 G. 4. c. 106. s. 6.

8. It shall and may be lawful to and for the respective prothonotaries of the said courts, or such other officers as the judges of the said courts respectively shall appoint, to grant rules for the sheriffs in the vacation to return such writs of execution and bailable processes as shall be returnable in the vacation, in such manner and under such regulations as the said justices of the said court shall appoint for that purpose; and in case any sheriff shall refuse or decline to return any writ within six days after the service of such rule on him or his deputy, such sheriff shall be in the like contempt, and answerable in the same manner as if such rule had been made by the said judges at sessions, 5 G. 4. c. 106. s. 7.

9. It shall be lawful to and for the said prothonotaries, or such other

officer as aforesaid, to grant rules in the vacation for a particular of the plaintiff's demand, and of defendant's set-off, and for leave to plead several matters, or to pay money in stay of proceedings, or to sign judgment for want of a plea, in any action depending in the said court, under such regulations as the said judges shall appoint for that purpose, 5 G. 4. c. 106. s. 8.

10. It shall and may be lawful for the judges of the said courts of great sessions respectively, and they are hereby authorized and empowered to issue commissions to persons resident out of the jurisdiction of such courts, for the purpose of taking answers, examinations, and affidavits, and for the examinations of witnesses in causes in equity, and also for the taking of affidavits and the examination of witnesses at law, in such manner and in such cases as the said court of exchequer has been used to issue the same, as occasion shall require, and of administering oaths to the persons putting in such answers and examinations, and making such affidavits, and being examined as witnesses, 5 G. 4. c. 106. s. 9.

11. All and every person or persons forswearing him, her, or themselves in any answer or affidavit, or in any deposition or examination, taken and sworn before any commissioner appointed by virtue of this act, shall incur and be liable to the same penalties as if such answer or affidavit, deposition or examination, had been taken and sworn in any suit in equity depending in the said court of exchequer, or in any action depending in the said court, 5 G. 4. c. 74. s. 10. [See s. 4. pl. 5.]

12. It shall be lawful for the judges of the said courts of great sessions, and they are hereby authorized and empowered, in all cases at law, when the said courts shall be sitting, in any county within the limits of such courts respectively, to make such rules and orders in suits at law, instituted and depending in the other counties within their jurisdiction, as to them the said judges shall seem meet, and occasion shall require; and such rules and orders shall be as valid and effectual in the law, and as binding upon the parties, as if the same had been made in the particular county in which such suits were instituted, 5 G. 4. c. 106. s. 11.

13. It shall and may be lawful for the judges of the said courts of great sessions, and they are hereby authorized and empowered, in all cases, both at law and in equity, when the said courts shall not be sitting in *Wa.*, to hear motions and petitions, and make such rules and orders thereon in vacation, and out of the jurisdiction of the said courts, as to them the said judges shall seem meet, and occasion shall require; and such rules and orders shall be as valid in the law, and as binding upon the parties, as the same would or might have been in case the same had been made in *Wa.*, within the jurisdiction of the said courts, and during the sitting thereof, 5 G. 4. c. 106. s. 12.

14. And whereas doubts and difficulties arise as to serving process in actions within the respective courts of great sessions, where the cause of action arises in one county, and the defendant or defendants reside in another county, each such counties being within the same jurisdiction of such court of great sessions respectively; be it enacted, That whenever a cause of action shall arise in one county and the defendant or defendants shall reside in another county, such counties as last aforesaid being within the same jurisdiction of the said courts of great sessions respectively, it shall be lawful that any writ or writs to commence any action within any of the courts of great sessions, shall issue, directed to the sheriff of such county wherein such defendant or defendants may reside, such last-mentioned county being within the same jurisdiction of the said courts of great sessions respectively, notice being endorsed on such writ of the county wherein such action is brought, and which said writ or writs shall be deemed legal process to compel such defendant or defendants to appear to such action or actions, 5 G. 4. c. 106. s. 13.

15. In all cases in which judgments shall have been obtained in the courts of great sessions respectively, it shall be lawful for the prothonotary of the circuits of the said courts of great sessions within which such judgment has been obtained, and he is hereby required upon the application of the person or persons so obtaining the same, to issue a *testatum* execution against the defendant or defendants, his, her, or their goods and chattels, directed to the sheriff of any of the counties within the same jurisdiction of such court of great sessions, although such county is not the county within which such judgment was obtained, in such and the same manner, and with the same force and effect as *testatum* executions are issued from the courts at *Westminster* into any county on judgments in actions where the venue is laid in another county, 5 G. 4. c. 106. s. 14.

16. In all cases in which any person shall have commenced any suit, or have entered any appearance in any suit at law or in equity instituted in any of the said courts of great sessions, or shall have come in as a creditor or purchaser, or otherwise submitted to the jurisdiction of the said courts of great sessions, but by reason of his residence out of the jurisdiction of such courts, or having withdrawn therefrom, his person or goods cannot be made amenable to the process thereof, it shall be lawful for the said court of exchequer in all suits and matters in equity, and in all

suits and matters at law for the said court of exchequer, and also for the said courts of K. B. and C. P., upon a certificate from the proper officer of the said courts of great sessions, of such commencement of suit, or of such appearance having been entered or such submission made, and upon a transcript or office copy of such rule, order, or decree being duly certified to the said court of exchequer in matters of equity, or in matters of law to the said court of exchequer or the said courts of K. B. and C. P., together with an affidavit of a due service of a copy of such rule, order, or decree, and of the non-performance thereof, to issue an attachment or other process for enforcing obedience to the same, in such manner as is usual for the purpose of enforcing obedience to the rules, orders, and decrees of such court, 5 G. 4. c. 106. s. 15.

17. And whereas it is expedient that the judges of the said courts of great sessions should have full power over the officers thereof; be it therefore enacted, That from and after the passing of this act [24th June 1824], it shall and may be lawful for the judges of the said courts, and they are hereby authorized to remove any officer of the said courts, or his deputy, for peculation, extortion, or other misconduct, and appoint a new officer or deputy in the room of the person so removed; any law, usage, or custom to the contrary notwithstanding; provided, that nothing in this clause contained shall authorize such judges to dismiss on their own authority any officer of the said courts nominated and appointed by the crown, 5 G. 4. c. 106. s. 16.

18. And whereas it is expedient that security shall hereafter be given for any sums of money paid into any of the said courts of great sessions for and on account of any party to any suit therein; be it further enacted, That the judges of the said several courts of great sessions shall and may, within their respective jurisdictions, have and take, and are hereby required to have and take, from any officer of such courts respectively, and hereafter to be appointed, within three calendar months next after such appointment, and as often after as occasion may require, such security as to such judges shall seem proper for and concerning the accounting for all and every sum and sums of money which such officer shall receive in any cause or suit at law or in equity pending in any such court of great sessions, and which said sum or sums of money shall be paid into any such court by any person in any suit therein, and received by any such officer or officers as is or are or shall be accustomed or authorized to receive the same; such security to be given by recognizance, or otherwise, as the said judges shall direct, binding every such officer, together with two or more sufficient sureties, in such penal sum as to the said judges shall seem proper, for the due accounting for all and every such sum or sums of money so paid, 5 G. 4. c. 106. s. 17.

19. It shall be lawful for the judges of the said courts of great sessions, and they are hereby authorized in all cases in which they shall think fit, to order and direct any sums of money belonging to the suitors of the said courts of great sessions to be paid into the bank of Eng., in the name and with the privity of the accountant-general of H. M.'s court of exchequer at Westminster, subject to the order and decree of the court of great sessions at the instance of which it shall be so paid in; and the said accountant-general is hereby directed to obey the orders and decrees of such court of great sessions in regard thereto, in like manner as he obeys the orders and directions of the said court of exchequer, and to act and do all matters and things relating to the delivering, securing, and investing of the money so ordered to be paid, and the payment, selling, and transferring of the same, and the keeping the accounts with the bank of Eng., and other matters relating thereto, in the like manner as he acts and does all matters and things relating to the delivery, securing, and investing of the money and effects of the suitors of the said court of exchequer, and the payment, selling, and transferring of the same, and the keeping the accounts or other matters relating thereto, 5 G. 4. c. 106. s. 18.

20. And whereas by 15 G. 3. c. 51. [Stat. Dig. tit. WALES, pl. 224.] intituled, *An Act to discourage the practice of commencing frivolous and vexatious suits in H. M.'s courts at Westminster, in causes of action arising within the dominion of Wa., and for further regulating the proceedings in the courts of great sessions in Wa.*, it is enacted, [viz. by s. 1.] that in case the plaintiff in any action upon the case for words, action of debt, trespass on the case, assault and battery, or other personal action, where the cause of such action shall arise within the dominion of Wa., and which shall be tried at the assizes at the nearest English county to that part of the said dominion of Wa. in which the cause of action shall be laid to arise, shall not recover by verdict debt or damages to the amount of 10*l.*, in such case, if the judge who tried the cause, on evidence appearing before him, shall certify on the back of the record of *nisi prius*, that the defendant was or were resident in the dominion of Wa. at the time of the service of the writ or other mesne process served on him in such action, on such fact being suggested on the record or judgment roll, judgment of nonsuit shall be entered against the plaintiff; and such defendant shall be entitled to and have like judgment and remedy thereon, to recover such and the like costs against the plaintiff in

such action, as if a verdict had been given by the jury for the defendant, unless the judge before whom such cause shall be tried shall certify on the back of the record that the freehold or title of land was chiefly in question, or that such cause was proper to be tried in such English county: and whereas it is expedient that so much of the said act as is herein recited should be repealed, and other provisions be made in lieu thereof; be it therefore enacted, That so much of the said act as has been herein recited be and is hereby repealed, 5 G. 4. c. 106. s. 19.

21. And whereas it is also expedient that so much of the 15 G. 3. c. 51. which relates to prevent transitory actions, where the cause of action does not amount to 10*l.*, arising within the said principality, from being brought in any of H. M.'s courts of record out of the said principality [viz. s. 2.], be repealed, and other and further provisions substituted in lieu thereof; be it therefore enacted, That so much of the said last-mentioned act be and is hereby repealed, 5 G. 4. c. 106. s. 20.

22. In all actions upon the case for words, action of debt, trespass on the case, assault and battery, or other personal action, and all transitory actions, which from and after the 6th Nov. 1824, shall be brought in any of H. M.'s courts of record out of the principality of Wa., and the debt or damages found by the jury shall not amount to the sum of 50*l.*, and it shall appear upon the evidence given on the trial of the said cause, that the cause of action arose in the said principality, and that the defendant was resident in the dominion of Wa. at the time of the service of any writ, or other mesne process, served on him, in such actions, and it shall be so testified under the hand of the judge who tried such cause, upon the back of the record of *nisi prius* (on such facts being suggested on the record or judgment roll), a judgment of nonsuit shall be entered thereon against the plaintiff, and the plaintiff shall pay to the defendant in such action his costs of suit, and the defendant shall have like remedy to recover the same as in the case of a verdict given for the defendant in such action; and in the taxation of all costs allowed and given to the defendant, the proper officer shall allow to the plaintiff, out of the defendant's costs, the full sum given by the verdict to the plaintiff for his debt or damages; and although no judgment shall be entered for the plaintiff upon such verdict, yet nevertheless such verdict, without any judgment entered thereon, shall be an effectual bar to any action commenced in any court whatsoever by the plaintiff for the same, 5 G. 4. c. 106. s. 21.

23. Provided, that nothing in this act contained shall bar or preclude any person from commencing and carrying on any action, and which may be tried at the assizes at the nearest English county to that part of the said dominion of Wa. in which the cause of action shall be laid, to arise against any defendant or defendants so resident in the dominion of Wa., and obtaining full costs in such action, if the judge before whom the cause shall be tried shall certify on the back of the record that the title or freehold of land was chiefly in question, or that such cause was proper to be tried in such English county, 5 G. 4. c. 106. s. 22.

24. And for better preventing vexatious delays and expences occasioned by the suing forth writs of certiorari for the removal of actions, suits, causes, or other proceedings at law commenced and carried on in any of H. M.'s courts of great session in Wa., and for regulating in future the issuing of such writs; be it further enacted, That from and after 6th Nov. 1824, no writ of certiorari shall be granted, issued forth, or allowed, to remove any action, bill, plaint, cause, suit, or other proceeding at law whatsoever, originated in or commenced, carried on or had in any of H. M.'s courts of great sessions in Wa., unless it be duly proved upon oath that the party suing forth the same hath given seven days' notice thereof in writing to the other party concerned in the action, bill, plaint, cause, suit, or other proceeding sought to be so removed, and unless the party so applying or suing forth such writ shall, upon oath, show to the court in which application shall be made sufficient cause for issuing such writ, and so that the party therein concerned may have an opportunity to show cause, if he or they shall so think fit, against the issuing or granting such certiorari, and that the costs of such application be in the discretion of the court wherein such application shall be made for such certiorari, 5 G. 4. c. 106. s. 23.

25. And whereas the sums of money now demandable and payable for fines and recoveries levied and suffered at the several courts of great sessions in Wa., are unequal and uncertain in the amount; be it further enacted, That from and after the passing of this act [24th June 1824], the fees to be paid on any fine or recovery so levied or suffered, and the amount of King's silver to be paid thereon, shall be in the same proportion, and ascertained and calculated in the same manner by the proper officer, as the fees and King's silver now usually payable on fines and recoveries levied and suffered in H. M.'s courts of C. P. at Westminster, and shall not exceed the same, 5 G. 4. c. 106. s. 24.

26. Provided, that in all and every case where such fees and King's silver are now payable to any person duly authorized to receive and compound for the same, under and by virtue of any patent for any term now in existence, within the respective courts of great sessions in Wa.,

the same sums as are now demandable and payable under and by virtue of such patent shall be hereafter paid during the term granted by such patent; but that when and as often as such term cease, expire, and determine, the said sums of money thereafter payable upon levying or suffering of any such fines and recoveries, as King's silver or fees thereon, within the limits of the jurisdiction of the court or courts of great sessions in such patent named, and the term whereof shall have so ceased, expired, and determined, shall immediately after any such expiration and determination, be thenceforth in the same proportion, and be ascertained and calculated in the same manner by the proper officer, as the fees and King's silver now usually payable on fines and recoveries levied and suffered in the said court of C. P. and shall not exceed the same, 5 G. 4. c. 106. s. 25.

27. And whereas fines can now be levied in the said courts of great sessions within the dominion of *Wa.* twice only in the year, and it is expedient to give to H. M.'s subjects possessing lands, tenements, and hereditaments within *Wa.*, the power of levying such fines four times in the year, in like manner as the subjects of the realm of *Eng.* can now levy the same; be it therefore further enacted, That from and after the passing of this act [24th June 1824], it shall be lawful for the cursitor of every court of great sessions in *Wa.*, to issue any writ or writs of covenants, for the purpose of levying any fine or fines within the jurisdiction of such courts respectively, such writs to be issued and be tested, and bear date 14 days at least before the first day of *Hilary* term, or 14 days at least before the first day of *Trinity* term in each year; and the several cursitors, and each of them, are hereby required so to do as often as applied to for that purpose, on payment of the usual fee or fees now demandable on any writ of covenant; and that every writ or writs so tested or bearing date as aforesaid be made returnable on the said first day of *Hilary* term, and the said first day of *Trinity* term respectively in each such year; and that upon an acknowledgment of such fine or fines by the proper parties to the same, taken before a judge of such court respectively, or by virtue of any *dedimus potestatem*, which the said cursitor or cursitors is and are hereby also required to grant, as often as the same be necessary, on the *allocatur* of a judge of the court of great sessions within whose jurisdiction the fine may be so levied, in like manner in which such *allocatur* is given when a fine is acknowledged on any *dedimus potestatem*, or otherwise during the sitting of such courts of great sessions, and on a certificate made on the back of any such writ or writs of covenant by the proper officer of such court, of the actual payment of King's silver payable upon every such fine or fines, and which certificate such proper officer is hereby required to make upon payment of such King's silver, at the costs and charges of any person or persons paying the same, such fine or fines shall have full force and effect, and be deemed to be fully completed from the said first day of *Hilary* term, or the said first day of *Trinity* term, on which the said writ or writs shall be made returnable as aforesaid; and proclamation, if necessary, shall be made of such fine or fines at the next ensuing great sessions, and at the two following great sessions, according to law; and all such fine and fines shall operate and enure, and shall be equally binding upon all lands, tenements, and hereditaments, and upon all parties privy thereto, from the said first day of *Hilary* term, and the said first day of *Trinity* term, in like manner as if the same was or were levied during the sitting of the court of great sessions, within the jurisdiction of which such lands, tenements, and hereditaments are situated, 5 G. 4. c. 106. s. 26.

28. Every fine and fines hereafter levied in *Wa.* shall take effect and enure, and be deemed complete from the date of the caption of the acknowledgement taken in such fine or fines, and on the payment of King's silver due thereon, notwithstanding the death or deaths of any party or parties to such fine or fines after such acknowledgment, 5 G. 4. c. 106. s. 27.

29. From and after the passing of this act [24th June 1824], any person authorized to take affidavits as a commissioner in the courts of K. B., C. P., and exchequer, or a master extraordinary in the high courts of chancery in the U. K., matter or matters arising, or fines or recoveries levied or suffered within the said respective courts of great sessions, in like manner as any affidavit is now taken in the said last-mentioned courts of K. B., C. P., exchequer, or chancery, of and concerning any fines or recoveries levied or suffered, or any cause, matter, or thing depending or in anywise concerning any of the proceedings arising or being within the last-mentioned courts, 5 G. 4. c. 109. s. 28.

30. And for the better regulation of persons hereafter serving as petit jurymen at any of the said courts of great sessions; be it further enacted, That from and after the 1st July 1824, no person shall be compellable to serve on any petit jury at any such court of great sessions, unless he possesses an estate of freehold or copyhold of the clear yearly value of 8*l.* or upward, or any estate for the term of any life or lives, or for the term of 99 years from the commencement of such estate, of the clear yearly value of 15*l.*, 5 G. 4. c. 106. s. 29. [REP. 6 G. 4. c. 50. s. 62. ante, tit. JURY.]

WARRANTS OF ATTORNEY.

1. For preventing frauds upon creditors by secret warrants of attorney to confess judgment, 3 G. 4. c. 39. [EXTENDED to the assignees of insolvent debtors, 5 G. 4. c. 61. s. 16. See INSOLVENT DEBTOR.]

2. Whereas injustice is frequently done to creditors by secret warrants of attorney to confess judgments for securing the payment of money: whereby persons in a state of insolvency are enabled to keep up to appearance of being in good circumstances, and the persons holding such warrants of attorney have the power of taking the property of such insolvents in execution at any time, to the exclusion of the rest of their creditors; for remedy thereof be it enacted, That from and after the 29th Sept. 1822, if the holder thereof shall think fit, every warrant of attorney to confess judgment in any personal action or a true copy thereof, and of the attestation thereof, and the defeasance and indorsements thereon, in case such warrant of attorney shall be given to confess judgment in H. M.'s court of K. B. at *Westminster*, or such a true copy thereof as aforesaid, in case such warrant of attorney shall be given to confess judgment in any other court, shall within 21 days after the execution of such warrant of attorney, be filed, together with an affidavit of the time of the execution thereof, with the clerk of the docquets and judgments in the said court of K. B., 3 G. 4. c. 39. s. 1.

3. From and after the said 29th Sept. next, if at any time after the expiration of 21 days next after the execution of such warrant of attorney, a commission of bankrupt shall be issued against the person who shall have given such warrant of attorney, under which he shall be duly found and declared a bankrupt, then, unless such warrant of attorney, or a copy thereof, shall have been filed as aforesaid, within the said space of 21 days from the execution thereof, or unless judgment shall have been signed, or execution issued on such warrant of attorney within the same period, such warrant of attorney, and the judgment and execution thereon, shall be deemed fraudulent and void against the assignees under such commission, and such assignees shall be entitled to recover back and receive, for the use of the creditors of such bankrupt at large, all and every the monies levied, or effects seized under such judgment and execution, 3 G. 4. c. 39. s. 2.

4. And whereas the object of the said provision may be defeated by any person giving a *cognovit actionem*, instead of a warrant of attorney to confess judgment, be it enacted, That every *cognovit actionem* given by any defendant in any personal action, in case the action in which such *cognovit actionem* shall be given shall be in the said court of K. B., or a true copy of such *cognovit actionem* in case the action wherein the same is given shall be in any other court, shall, together with an affidavit of the time of the execution thereof, be filed with the said clerk, in like manner as such warrants of attorney, or copies thereof and affidavits, within the space of 21 days after such *cognovit actionem* shall have been executed, otherwise such *cognovit actionem* and any judgment entered up thereon, and any execution taken out on such judgment, shall be deemed fraudulent and void against the assignees of the person giving such *cognovit actionem* under a commission of bankrupt issued against him, after the expiration of the said space of 21 days, in like as warrants of attorney, and judgments and executions thereon, are deemed and taken to be fraudulent and void by this act, 3 G. 4. c. 39. s. 3.

5. If such warrant of attorney or *cognovit* shall be given subject to any defeasance or condition, such defeasance or condition shall be written on the same paper or parchment, on which such warrant of attorney, or *cognovit actionem* shall be written, before the time when the same or a copy thereof respectively shall be filed, otherwise such warrant of attorney, or *cognovit actionem*, shall be null and void, 3 G. 4. c. 39. s. 4.

6. The said officer of the said court of K. B. shall cause every warrant of attorney and *cognovit actionem*, in every personal action, and every copy thereof filed in his office, to be numbered, and shall keep a book, in which he shall cause to be fairly entered an alphabetical list of every such warrant of attorney or *cognovit*, containing therein the names and additions and descriptions of the defendants or persons giving such warrants of attorney or *cognovit*, and also the names, additions, and descriptions of the plaintiff or persons in whose favour the same shall have been given, together with the number and the dates of the execution and filing of the same, or of a copy thereof respectively, and the sums for which judgment is to be entered up, and also the sums which are specified to be paid by the defeasances or conditions in each warrant of attorney or *cognovit actionem*, and the times when the same are thereby made payable, according to the form contained in the schedule to this act; which said book, and every warrant of attorney and *cognovit actionem*, or

copy thereof, filed in the said office, shall be searched and viewed by all persons at all seasonable times, paying to the officer for every search against one person 6d., 3 G. 4. c. 39. s. 5.

7. The said officer shall be entitled to receive, for his trouble in filing and entering such warrant of attorney or *cognovit*, or a copy thereof as aforesaid, the sum of 1s., 3 G. 4. c. 39. s. 6.

8. Any person shall be entitled to have an office copy of each warrant of attorney, or *cognovit actionem*, or of the copy thereof filed as afore-

said, upon paying for the same at the like rate as for office copies of judgments in each of such courts respectively, 3 G. 4. c. 39. s. 7.

9. It shall be lawful for any of the judges of the court in which such warrant of attorney or *cognovit actionem* is given, to order a memorandum of satisfaction to be written upon such warrant of attorney, *cognovit actionem*, or copy thereof respectively, as aforesaid, if it shall appear to him that the debt for which the same was given as a security shall have been satisfied or discharged, 3 G. 4. c. 39. s. 8.

SCHEDULE of 3 G. 4. c. 39. s. 5. ante, pl. 6.

NAME, &c. of the Person giving the Warrant of Attorney, or Cognovit.	NAME, &c. of Person for whom given.	Whether Warrant of Attorney or Cognovit; and Number.	DATE of Execution.	DATE of Filing.	SUM for which given.	DEFEASANCE.
A. B. of Manufacturer.	C. D. of Merchant.	Warrant of Attorney. No. 1.	Jan. 1st,	Jan. 10.	£1,000.	To secure £500, payable, &c.

WEIGHTS AND MEASURES.

(STATUTES repealed, see 5 G. 4. c. 74. s. 23., post, pl. 26.)

(STATUTES in force.)

1. For ascertaining and establishing uniformity of weights and measures, 5 G. 4. c. 74. [AMD. and time of commencement prolonged, 6 G. 4. c. 12. See rates of excise duties, allowances, and drawbacks on beer and malt and spirit made in Scot. or Ire., equalized in consequence of the above acts, 6 G. 4. c. 58.]

2. Whereas 5 G. 4. c. 74. was passed, and the operation of certain clauses and provisions in the said act contained is by the said act directed to take place from and after the 1st May 1825, and the operation of certain other clauses in the said act contained is by the said act directed to take place within three calendar months, or within six calendar months respectively next after the passing of the said act; and it is by the said act, among other things, enacted, that the several statutes, ordinances, and acts, and parts of the several statutes, ordinances, and acts, in the said recited act mentioned and specified, so far as the same relate to the ascertaining or establishing any standards of weights and measures, or to the establishing or recognizing certain differences between weights and measures of the same denomination, shall, from and after 1st May 1825, be repealed: and whereas it hath been found that further time is necessarily required before the said act can be conveniently carried into effect: be it therefore enacted, That the several clauses in the said act contained, the operation whereof is by the said act directed and appointed to commence and take effect from and after the 1st May 1825, shall commence and take effect on the 1st Jan. 1826, and not sooner; and that such matters and things as by the said act are required to be done within three calendar months or within six calendar months respectively next after the passing of the said act, shall and may be lawfully done at any time before the expiration of three calendar months or six calendar months respectively after the 1st May 1825; and that the several statutes, ordinances, and acts, and parts of statutes, ordinances, and acts, which by the said recited act are repealed from and after the 1st May 1825, shall remain and continue in force until the said

1st Jan. 1826, and no longer, and shall, from and after the 1st Jan. 1826, be repealed to all intents and purposes, as if the said 1st Jan. 1826 had been mentioned and specified in the said recited act, instead of the said 1st May 1825; the said recited act, or any clause, matter, or thing in the same contained, to the contrary in anywise notwithstanding, 6 G. 4. c. 12. s. 1.

3. Whereas it is necessary for the security of commerce, and for the good of the community, that weights and measures should be just and uniform: and whereas notwithstanding it is provided by the great charter [viz. MAGNA CHARTA, c. 25. Stat. Dig. tit. WEIGHTS, &c. pl. 1.], that there shall be but one measure and one weight throughout the realm, and by the treaty of union between Eng. and Scot., that the same weights and measures should be used throughout G. B. as were then established in Eng., yet different weights and measures, some larger, and some less, are still in use in various places throughout the U. K. of G. B. and Ire., and the true measure of the present standards is not verily known, which is the cause of great confusion and of manifest frauds: for the remedy and prevention of these evils for the future, and to the end that certain standards of weights and measures should be established throughout the U. K. of G. B. and Ire.; be it therefore enacted, That from and after the 1st May 1825, the straight line or distance between the centres of the two points in the gold studs in the straight brass rod, now in the custody of the clerk of the House of Commons, whereon the words and figures "Standard Yard, 1760," are engraved, shall be declared to be the original and genuine standard of that measure of length or lineal extension called a yard; and that the same straight line or distance between the centres of the said two points in the said gold studs in the said brass rod, the brass being at the temperature of 62 degrees by Fahrenheit's thermometer, shall be and is hereby denominated the "Imperial Standard Yard," and shall be the unit or only standard measure of extension, wherefrom or whereby all other measures of extension whatsoever, whether the same be lineal, superficial, or solid, shall be derived, computed, and ascertained; and that all measures of length shall be taken in parts or multiples, or certain proportions of the said standard yard; and that one-third part of the said standard yard shall be a foot, and the 12th part of such foot shall be an inch; and that the pole or perch in length shall contain five such yards and a half, the furlong 220 such yards, and the mile 1760 such yards, 5 G. 4. c. 74. s. 1.

4. All superficial measure shall be computed and ascertained by the

said standard yard, or by certain parts, multiples, or proportions thereof; and that the rood of land shall contain 1210 square yards, according to the said standard yard; and that the acre of land shall contain 4840 such square yards, being 160 square perches, poles, or rods, 5 G. 4. c. 74. s. 2.

5. And whereas it is expedient that the said standard yard, if lost, destroyed, defaced, or otherwise injured, should be restored of the same length, by reference to some invariable natural standard: and whereas it has been ascertained by the commissioners appointed by H. M. to inquire into the subject of weights and measures, that the said yard hereby declared to be the imperial standard yard, when compared with a pendulum vibrating seconds of mean time in the latitude of *London*, in a vacuum at the level of the sea, is in the proportion of 36 inches to 39 inches, and 1593 10 thousandth parts of an inch; be it therefore enacted, That if at any time hereafter the said imperial standard yard shall be lost, or shall be in any manner destroyed, defaced, or otherwise injured, it shall be restored by making, under the direction of the lord high treasurer, or the commissioners of H. M.'s treasury of the U. K. of *G. B. and Ire.*, or any three of them, for the time being, a new standard yard, bearing the same proportion to such pendulum as aforesaid, as the said imperial standard yard bears to such pendulum, 5 G. 4. c. 74. s. 3.

6. From and after the 1st *May* 1825, the standard brass weight of one pound troy weight, made in the year 1758, now in the custody of the clerk of the House of Commons, shall be and the same is hereby declared to be the original and genuine standard measure of weight, and that such brass weight shall be and is hereby denominated the imperial standard troy pound, and shall be the unit or only standard measure of weight, from which all other weights shall be derived, computed, and ascertained; and that one-twelfth part of the said troy pound shall be an ounce; and that one-twentieth part of such ounce shall be a pennyweight; and that one-twenty-fourth part of such pennyweight shall be a grain; so that 5760 such grains shall be a troy pound, and that 7000 such grains shall be and they are hereby declared to be a pound avoirdupois, and that one-sixteenth part of the said pound avoirdupois shall be an ounce avoirdupois, and that one-sixteenth part of such ounce shall be a dram, 5 G. 4. c. 74. s. 4.

7. And whereas it is expedient that the said standard troy pound, if lost, destroyed, defaced, or otherwise injured, should be restored of the same weight, by reference to some invariable natural standard; and whereas it has been ascertained, by the commissioners appointed by H. M. to inquire into the subjects of weights and measures, that a cubic inch of distilled water, weighed in air by brass weights, at the temperature of 62 degs. of *Fahrenheit's* thermometer, the barometer being at 30 inches, is equal to 252 grs. and 458 thousandth parts of a grain, of which, as aforesaid, the imperial standard troy pound contains 5760; be it therefore enacted, That if any time hereafter the said imperial standard troy pound shall be lost, or shall be in any manner destroyed, defaced, or otherwise injured, it shall and may be restored by making, under the directions of the lord high treasurer, or the commissioners of H. M.'s treasury, or any three of them for the time being, a new standard troy pound, bearing the same proportion to the weight of a cubic inch of distilled water, as the said standard pound hereby established bears to such cubic inch of water, 5 G. 4. c. 74. s. 5.

8. That from and after 1st *May* 1825, the standard measure of capacity, as well for liquids as for dry goods not measured by heaped measure, shall be the gallon, containing 10lbs avoirdupois weight of distilled water weighed in air, at the temperature of 62 degs. of *Fahrenheit's* thermometer, the barometer being at 30 inches; and that a measure shall be forthwith made of brass, of such contents as aforesaid, under the directions of the lord high treasurer, or the commissioners of H. M.'s treasury of the U. K., or any three or more of them for the time being; and such brass measure shall be the imperial standard gallon, and shall be the unit and only standard measure of capacity, from which all other measures of capacity to be used, as well for wine, beer, ale, spirits, and all sorts of liquids, as for dry goods not measured by heap measure, shall be derived, computed, and ascertained; and that all measures shall be taken in parts or multiples, or certain proportions of the said imperial standard gallon; and that the quart shall be the fourth part of such standard gallon, and the pint shall be one-eighth of such standard gallon, and that two such gallons shall be a peck, and eight such gallons shall be a bushel, and eight such bushels a quarter of corn or other dry goods, not measured by heaped measure, 5 G. 4. c. 74. s. 6.

9. The standard measure of capacity for coals, culm, lime, fish, potatoes, or fruit, and all other goods and things commonly sold by heaped measure, shall be the aforesaid bushel, containing 80lbs. avoirdupois of water as aforesaid, the same being made round with a plain and even bottom, and being nineteen inches and a half from outside to outside of such standard measure as aforesaid, 5 G. 4. c. 74. s. 7.

10. And whereas by 5 G. 4. c. 74. s. 7. the figure of the standard bushel measure directed to be used for the sale of coals, culm, fish,

potatoes, and fruit is fixed and determined: and whereas it is expedient that the figure of all other measures used for sale of coals, and all other goods and things commonly sold by heaped measure should also be fixed and determined; be it therefore enacted, That from and after 1st *Jan.* 1826, all such measures shall be cylindrical, and the diameter of such measures shall be at the least double the depth thereof, and the height of the cone or heap shall be equal to three-fourths of the depth of the said measure, the outside of the said measure being the extremity or base of such cone, 6 G. 4. c. 18. s. 2.

11. In making use of such bushel, all coals and other goods and things commonly sold by heaped measure, shall be duly heaped up in such bushel, in the form of a cone, such cone to be of the height of at least six inches, and the outside of the bushel to be the extremity of the base of such cone; and that three bushels shall be a sack, and that 12 such sacks shall be a chaldron, 5 G. 4. c. 74. s. 8.

12. Provided, that any contracts, bargains, sales, and dealings, made or had for or with respect to any coals, culm, lime, fish, potatoes, or fruit, and all other goods and things commonly sold by heaped measure, sold, delivered, done or agreed for, or to be sold, delivered, done, or agreed for by weight or measure, shall and may be either according to the said standard of weight, or the said standard for heaped measure; but all contracts, bargains, sales, and dealings, made or had for any other goods, wares, or merchandize, or other thing done or agreed for, or to be sold, delivered, done, or agreed for by weight or measure, shall be made and had according to the said standard of weight, or to the said gallon, or the parts, multiples, or proportions thereof; and in using the same the measures shall not be heaped, but shall be stricken with a round stick or roller, straight and of the same diameter from end to end, 5 G. 4. c. 74. s. 9.

13. Provided, that nothing herein contained shall authorize the selling in *Ire.*, by measure, of any articles, matters, or things which by any law in force in *Ire.* are required to be sold by weight only, 5 G. 4. c. 74. s. 10.

14. Copies and models of each of the said standard yard, the said standard pound, the said standard gallon, and the said standard for heaped measure, and of such parts and multiples thereof respectively, as the lord high treasurer of the U. K., or the said commissioners of H. M.'s treasury, or any three of them for the time being, shall judge expedient, shall, within three calendar months next after the passing of this act [17th *June* 1824], be carefully made and verified under the direction of the said lord high treasurer, or the said commissioners of H. M.'s treasury, or any three of them for the time being; and that the copies and models of the said standard yard, of the said standard pound, of the said standard gallon, and of the said standard for heaped measure, and of parts and multiples thereof, so forthwith to be made and verified as aforesaid, shall, within three calendar months after the passing of this act [17th *June* 1824], be deposited in the office of the chamberlains of the exchequer at *Westminster*, and that copies thereof, verified as aforesaid, shall be sent to the lord mayor of *London* and the chief magistrate of *Edinburgh* and *Dublin*, and of such other cities and places, and to such other places and persons in H. M.'s dominions or elsewhere, as the lord high treasurer or commissioners of the treasury may from time to time direct, 5 G. 4. c. 74. s. 11.

15. H. M.'s justices of the peace in every county, riding, or division in *Eng.* or *Ire.*, or shire or stewartry in *Scot.*, and the magistrates in every city, town, or place (being a county within itself) in *Eng.* or *Ire.*, and in every city or royal burgh in *Scot.*, shall, within six calendar months after the passing of this act [17th *June* 1824], purchase for their respective counties, ridings, or divisions, shires or stewartries, cities, towns, or places, or cities or royal burghs, a model and copy of each of the aforesaid standards of length, weight, measure, and of each of the parts and multiples thereof; which models and copies when so purchased, shall be compared and verified with the models and copies deposited with the chamberlains of the exchequer as aforesaid, in such manner as aforesaid, and upon payment of such fees as are at present payable to the said chamberlains upon the comparison and verification of weights and measures with the standards thereof, and such models and copies, when so compared and verified, shall be placed for custody and inspection with such person or persons, in such place or places, as the said justices and magistrates, in their respective counties, ridings, and divisions, and shires or stewartries, cities, towns, and places, or cities or royal burghs, shall appoint, and the same shall be produced by the keeper or keepers thereof, upon reasonable notice, at such time and place, within each such county, riding, &c. as any person shall by writing under his hand require; the person requiring such production paying the reasonable charges of the same, 5 G. 4. c. 74. s. 12.

16. The expence of procuring and transmitting such models and copies for the respective counties, ridings, or divisions, cities, towns, or places, shall be paid in *Eng.*, out of the rates payable in such counties, ridings, or divisions, cities, towns, or places; and in *Scot.*, such expences in the respective shires and stewartries, and cities or royal burghs, shall be as-

essed by the commissioners of supply upon such shires and stewartries, and upon cities or royal burghs by the magistrates thereof, and shall be paid along with the land-tax payable in such shires or stewartries, and cities or royal burghs, to the collectors of the land-tax in such shires or stewartries, and cities or royal burghs respectively; and in *Ire.* such expences shall be paid in the respective counties and counties of cities and counties of towns, by presentments to be made by grand juries; and the collectors of such county rates in *Eng.*, of land-tax in *Scot.*, and of the assessments under grand jury presentments in *Ire.*, shall have such and the same powers of levying and recovering the assessments to be made under this act, as are competent to them for levying and recovering the said county rates, land-tax, and grand jury assessments respectively; and the said collectors respectively shall, out of the proceeds of such assessments, pay the expences of procuring and transmitting such models and copies as aforesaid accordingly, 5 G. 4. c. 74. s. 15.

17. Provided, that in all cases of dispute respecting the correctness of any measure of capacity, arising in a place where recourse cannot be conveniently had to any of the aforesaid verified copies or models of the standard measures of capacity, or parts or multiples of the same, it shall be lawful for any justice of the peace or magistrate having jurisdiction in such place, to ascertain the content of such measure of capacity by direct reference to the weight of pure or rain water which such measure is capable of containing; 10 lbs. avoirdupois weight of such water, at the temperature of 62 degrees by *Fahrenheit's* thermometer, being the standard gallon ascertained by this act, the same being in bulk equal to 277 cubic inches, and 274 one-thousandth parts of a cubic inch, and so in proportion for all parts or multiples of a gallon, 5 G. 4. c. 74. s. 14.

18. From and after 1st May 1825, all contracts, bargains, sales, and dealings, which shall be made or had within any part of the U. K. of G. B. and *Ire.*, for any work to be done, or for any goods, wares, merchandize, or other thing to be sold, delivered, done, or agreed for by weight or measure, where no special agreement shall be made to the contrary, shall be construed to be made and had according to the standard weights and measures ascertained by this act; and in all cases where any special agreement shall be made, with reference to any weight or measure established by local custom, the ratio or proportion which every such local weight or measure shall bear to any of the said standard weights or measures, shall be expressed and specified in such agreement, or otherwise such agreement shall be null and void, 5 G. 4. c. 74. s. 15.

19. And whereas it is expedient that persons should be allowed to use the several weights and measures which they may have in their possession, although such weights and measures may not be in conformity with the standard weights and measures established by this act; be it therefore enacted, That it shall be lawful for any person to buy and sell goods and merchandize by any weights or measures established either by local custom, or founded on special agreement; provided, that in order that the ratio or proportion which all such measures and weights shall bear to the standard weights and measures established by this act, shall be and become a matter of common notoriety, the ratio or proportion which all such customary measures and weights shall bear to the said standard weights and measures, shall be painted or marked upon all such customary weights and measures respectively; and that nothing herein-contained shall extend to permit any maker of weights or measures, or any person or persons whomsoever, to make any weight or measure at any time after the 1st May 1825, except in conformity with the standard weights and measures established under the provisions of this act, 5 G. 4. c. 74. s. 16.

20. And for the purpose of ascertaining and fixing the payments to be made in consequence of all existing contracts or rents in *Eng.* and *Ire.*, payable in grain or malt, or in any other commodity or thing, and in consequence of any toll or rate heretofore payable according to the weights and measures heretofore in use; be it enacted, That at the general or quarter sessions of the peace to be holden in every county, riding, or division, and in every city, town, or place (being a county of itself) in *Eng.* or *Ire.*, next after the expiration of six calendar months after the passing of this act [17th June 1824], or at any general quarter sessions of the peace to be holden thereafter, an inquisition shall be taken before the justices assembled at such general or quarter sessions, by the oaths of 12 substantial freeholders of the said respective counties, cities, towns, or places, having lands or tenements to the value of 100*l.* per ann. or upwards, to be summoned by the sheriff or proper officer of every such county, city, town, or place, to inquire into and ascertain the amount, according to the standard of weight or measure by this act established, of all contracts or rents payable in grain or malt, or any other commodity or thing, or with reference to the measure or weight of any such grain, malt, or other commodity or thing, and the amount of any toll or rate heretofore payable according to any weights and measures heretofore in use within such counties, cities, towns, or places respectively; and such inquisitions, when taken, shall be transmitted by the respective clerks of the peace of the same counties respectively, or by the mayor, bailiff, or other head-officer of every such city, town,

or place (being a county of itself), into H. M.'s courts of exchequer at *Westminster* and *Dublin* respectively, and shall there be enrolled of record, and shall and may be given in evidence in any action or suit at law or in equity; and the amount so to be ascertained shall be the rule of payment in regard to all such contracts, rents, tolls, or rates, in all time coming; and the costs and charges of such inquisitions, and the enrolments thereof, shall be paid and defrayed in *Eng.* out of the general rate or stock of every such county, riding, division, city, town, or place (being a county of itself), and in *Ire.* by presentments of the several grand juries, 5 G. 4. c. 74. s. 17.

21. And for the purpose of ascertaining and fixing the payments to be made of all stipends, feu-duties, rents, tolls, customs, casualties, and other demands whatsoever, payable in grain, malt, or meal, or any other commodity, or thing in *Scot.*, or in any place or district of the same; be it enacted, That the sheriff-depute or sheriff-substitute in each shire, and the steward-depute or steward-substitute in each stewartry, within *Scot.*, shall, as soon as conveniently may be after the expiration of six calendar months from and after the passing of this act [17th June 1824], summon and impanel a jury of the same number, and with the same qualifications, which are required in the jury who strike the *fiar* prices of grain within the same shire or stewartry, to assemble at such place or places as he shall find convenient; which jury shall inquire into and ascertain the amount, according to the standards by this act established, of all such stipends, feu-duties, rents, tolls, customs, casualties, and other demands whatsoever, payable in grain, malt, meal, or any other commodity or thing, according to the weights and measures heretofore in use within the same shires or stewartries; and such inquisitions, when taken, shall be transmitted by the respective sheriff clerks or steward clerks of such shires or stewartries, into H. M.'s court of exchequer at *Edinburgh*, and shall there be enrolled of record, and shall and may be given in evidence in any action or suit at law or in equity; and the amount so to be ascertained shall, when converted into the standard weights and measures, be the rule of payment in regard to all such stipends, feu-duties, rents, tolls, customs, casualties, and other demands whatsoever, in all time coming; and the costs and charges of such inquisitions, and the enrolment thereof, shall be assessed and levied, paid and defrayed, by every such shire or stewartry, in manner as is herein-before directed [s. 13. pl. 16.] in regard to the assessment for the models of the weights and measure to be purchased for the same shire or stewartry, 5 G. 4. c. 74. s. 18.

22. As soon as conveniently may be after such inquisitions shall have been made and enrolled in *Eng.*, *Ire.*, and *Scot.* respectively, accurate tables shall be prepared and published under the authority of H. M.'s treasury, showing the proportions between the weights and measures heretofore in use, as mentioned in such inquisitions, and the weights and measures hereby established, with such other conversions of weights or measures as H. M.'s treasury may deem to be necessary; and after the publication of such tables, all future payments to be made shall be regulated according to such tables, 5 G. 4. c. 74. s. 19.

23. And whereas the weights and measures by which the rates and duties of the customs and excise, and other H. M.'s revenue, have been heretofore collected, are different from the weights and measures of the same denominations directed by this act to be universally used: and whereas the alteration of such weights and measures may, without due care had therein, greatly affect H. M.'s revenue, and tend to the diminishing of the same; for the prevention thereof, be it therefore enacted, That so soon as conveniently may be after the passing of this act [viz. 17th June 1824], accurate tables shall be prepared and published under the direction of the treasury for the time being, in order that the several rates and duties of customs and excise, and other H. M.'s revenue, may be adjusted and made payable according to the respective quantities of the legal standards directed by this act to be universally used; and that from and after the 1st May 1825, and the publication of such tables, the several rates and duties thereafter to be collected by any of the officers of H. M.'s customs or excise, or other H. M.'s revenue, shall be collected and taken according to the calculations in the tables to be prepared as aforesaid, 5 G. 4. c. 74. s. 20.

24. All the powers, rules, and regulations in force, and contained in the several acts herein-after mentioned, specified, and set forth, for the ascertaining, examining, seizing, breaking, and destroying any weights balances, or measures, shall be applied and put in execution in G. B. for the ascertaining and examining, and for the seizing, breaking, and destroying of any weights or measures not conformable to the standard weights and measures ascertained and authorized by this act, and for the punishment of any person or persons having any defective weight or measure, not conformable to the said standard weights and measures; that is to say, 29 G. 2. c. 25., intituled, *An Act for appointing a sufficient number of constables for the service of the city and liberty of Westminster, and to compel proper persons to take upon them the office of jurymen, to prevent nuisances and other offences within the said city and liberty*; and 31 G. 2. c. 17., for explaining, amending, and rendering more effectual the said recited act of the 29th year; and 55 G. 3. c. 102. [Stat. Dig. tit.

WEIGHTS, *pl. 56.*], intituled, *An Act for the more effectual prevention of the use of defective weights, and of false and unequal balances*; and 37 G.3. c.143. [Stat. Dig. tit. WEIGHTS, *pl. 56.*], for explaining and amending the said recited act of the said 35th year, and as the said recited act of the said 35th year is amended by the said act of the said 37th year; and 55 G.3. c.43. [Stat. Dig. tit. WEIGHTS, &c. *pl. 56.*], intituled, *An Act for the more effectual prevention of the use of false and deficient measures*; and all the powers, rules, regulations, provisions, penalties, and forfeitures in the said several acts contained, shall be applied and put in execution as if the weights or measures ascertained by this act had been specified in the said recited acts respectively, and as if all such powers, rules, &c., and modes of recovery thereof, were repeated and re-enacted in this act, except only so far as the said recited acts or any of them, or any part thereof, are expressly repealed or altered by this act, or any other act or acts, 5 G.3. c.74. s.21.

25. All the powers, rules, and regulations in force, and contained in the several acts herein-after mentioned, specified, and set forth, passed in the parliament of Ire., shall be applied and put in execution in Ire., for the ascertaining and examining, and for the seizing, breaking, and destroying of any weights or measures not conformable to the standard weights and measures ascertained and authorized by this act, and for the punishment of any person or persons having any defective weight or measure, or any weight or measure not conformable to the said standard weights and measures, and for the carrying into effect the several provisions of the said recited acts with reference to the said standard weights and measures; that is to say, 4 Ann., for regulating the weights used in Ire.; 11 G.2., for the buying and selling all sorts of corn and meal, and other things in the said act mentioned, by weight; and 25 G.2., intituled, *An Act for buying and selling all sorts of corn and meal, and other things therein mentioned, by weight, and for the more effectual preventing the frauds committed in the buying and selling thereof*; and 27 G.3., intituled, *An Act for establishing market juries in cities, and which said last-mentioned act was by 28 G.3. extended to all counties of towns and corporate towns in Ire.*; and all the powers, rules, and regulations, provisions, penalties, and forfeitures in the said several acts contained, shall be applied and put in execution, as if the weights or measures ascertained by this act had been specified in the said recited acts respectively, and as if such powers, rules, regulations, provisions, penalties, and forfeitures, and the modes of recovery thereof, were repeated and re-enacted in this act, except only so far as the said recited acts or any of them, or any part thereof, are expressly repealed or altered by this act, or any other act or acts, 5 G.4. c.74. s.22.

26. The several statutes, ordinances, and acts, and parts of the several statutes, ordinances, and acts herein-after mentioned and specified, so far as the same relate to the ascertaining or establishing any standards of weights and measures, or to the establishing or recognizing certain differences between weights and measures of the same denomination, shall, from and after the 1st May 1825, be repealed; that is to say, certain ancient statutes or ordinances made previous to the reign of King Edward the Third, but being of uncertain date, intituled or known by the names or descriptions following: "*Assisa panis et cervisie*," or "*The Assize of bread and ale*;" "*Statutum de pistoribus, et cetera*," or "*Statute concerning bakers, et cetera*;" [See Stat. Dig. tit. BREAD, *pl. 23.*] "*Assisa de ponderibus et mensuris*," or "*Tractatus de ponderibus*," or "*Compositio de ponderibus*," or "*Assize of weights and measures*;" "*Statutum de admensuratione terræ*," or "*Statute for the measuring of land*;" "*Compositio ulnarum et perticarum*;" [Stat. Dig. tit. WEIGHTS, &c. *pl. 1.*], &c. and also so much of 14 Ed.3. c.12. [See Stat. Dig. tit. WEIGHTS, &c. *pl. 7.*], 8.] as relates to the making of bushels and weights, and sending the same into every country; and also so much of 14 Ed.3. c.21. s.2. as directs that the sack of wool ought to contain 26 stones, and every stone 14 pounds; and also so much of 18 Ed.3. st.2. c.4. [Stat. Dig. tit. WEIGHTS, &c. *pl. 9.*] as relates to commissioners to assay weights and measures; and also so much of 25 Ed.3. st.5. c.9, 10. [Stat. Dig. tit. WEIGHTS, &c. *pl. 10.*], 11.] as relates to auncel weight, and the weight of the sack of wool, and as relates to the bushel, half bushel, peck, gallon, pottle, and quart, and to the quarter and measure of corn; and also so much of 27 Ed.3. st.2. c.11. [Stat. Dig. tit. WEIGHTS, &c. *pl. 12.*] as relates to the uniformity of weights and measures throughout the realm; and also so much of 31 Ed.3. st.1. c.2. 5. [Stat. Dig. tit. WOOL, *pl. 8.*], 9.] 31 Ed.3. st.1. c.5. [Stat. Dig. tit. GAUGING, *pl. 2.*] as relates to the regulating the price and weight of wools, and as relates to the tun of wine and the gauging thereof; and also so much of 34 Ed.3. c.5. [Stat. Dig. tit. WEIGHTS, *pl. 10.*] whereby justices of the peace are empowered to inquire of weights and measures; and also so much of 4 R.2. c.1. [Stat. Dig. tit. GAUGING, *pl. 3.*] as relates to the gauging of vessels of wine, honey, oil, and other liquors brought into the realm, and also so much of 15 R.2. st.1. c.9. [Stat. Dig. tit. WEIGHTS, &c. *pl. 13.*] as relates to the regulating of weights and measures, and to the buying and selling of wool at 14l. the stone; and also so much of 15 R.2. c.4. [Stat. Dig. tit. WEIGHTS, &c. *pl. 14.*] as relates to weights and measures of corn, wine, ale, and

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MARKETS, &c. *pl. 6—11.*] intituled, *An Act for the better ordering and regulating of the office of clerk of the market, allowed and confirmed by this statute*; and for the reformation of false weights and measures; and also 12 C.2. c.25. [now Exp.], intituled, *A grant of certain impositions upon beer, ale, and other liquors, for the increase of H. M.'s revenue during his life*, as relates to the contents of the barrel of beer and ale; and also 22 C.2. c.8. [Stat. Dig. tit. WEIGHTS, &c. *pl. 39—46.*], intituled, *An Act for ascertaining the measures of corn and salt*; and also 22 & 23 C.2. c.12. [Stat. Dig. tit. *id.*] intituled, *An additional Act for ascertaining the measures of corn and salt*; and also 1 W. & M. st.1. c.24. s.5., intituled, *An Act for an additional duty of excise upon beer or ale and other liquors*, as relates to the contents of the barrel of beer and ale; and also 5 & 6 W. & M. c.7. s.18. made among other things, for granting to their Majesties certain rates and duties upon salt, and upon beer, ale, and other liquors, as relates to the measure and weight of salt; and also an act made (in the parliament of Ire.) 7 W.3. for the better regulating of measures in and throughout that kingdom; and also 7 & 8 W.3. c.31. s.49. [Stat. Dig. tit. SALT, *pl. 2.*], made, among other things, for continuing to H. M. certain duties upon salt, glass wares, and earthen wares, as relates to the measure and weight of salt; and also 9 & 10 W.3. c.6. [Stat. Dig. tit. SALT, *pl. 3.*] intituled, *An Act that all retailers of salt shall sell by weight*; and also 10 & 11 W.3. c.21. s.15. made, among other things, for levying further duties upon sweets, and for lessening the duties, as well upon vinegar as upon certain low wines, as relates to the contents of a barrel of vinegar, vinegar beer, or liquor preparing for vinegar; and also 10 & 11 W.3. c.22. s.2., intituled, *An Act for the more full and effectual charging of the duties upon rock-salt*, as relates to the weight or measure of rock-salt; and also, 11 & 12 W.3. c.15. [Stat. Dig. tit. BEER, *pl. 18—29.*], intituled, *An Act for the ascertaining the measures for retailing ale and beer*; and also, 1 Ann. st.1. c.15. [Stat. Dig. tit. WEIGHTS, &c. *pl. 5.*], intituled, *An Act to ascertain the water-measure of fruit*; and also, 1 Ann. st.1. c.21. s.28. intituled, *An Act for preventing frauds in the duties upon salt, and for the better payment of debentures at the custom-house*, as relates to the weight and measure of foreign salt and rock-salt; and also an act made (in the parliament of Ire.) 2 Ann., for supplying the defects of the here-

in-before recited act, passed in the parliament of *Ire.*, 7 *W.3.*; and also so much of 5 & 6 *Ann. c.27. s.17.* [*Stat. Dig. tit. WINES, pl.27, 28.*], intituled, *An Act for continuing several subsidies, impositions, and duties, and for making provisions therein mentioned, to raise money by way of loan for the service of the war, and other Her Majesty's necessary and important occasions; and for ascertaining the wine measure*, as relates to the contents of the gallon, tun, butt, pipe, and hogshead of wine; and also so much of 9 *Ann. c.6. s.5. in part*, made, among other things, for reviving, continuing, and appropriating certain duties upon several commodities to be exported, and certain duties upon coals to be waterborne and carried coastwise, as relates to the chaldron or chaldar and bushel of coals; and also 9 *Ann. c.15.* [*Stat. Dig. tit. FUEL*], for making more effectual the herein-before recited act of 43 *El. c.14.*; and also 10 *Ann. c.6.* [*Stat. Dig. tit. FUEL*], intituled, *An Act for explaining and altering the laws now in being concerning the assizes of fuel so far as they relate to the assize of billet made or to be made of beech wood only*; and also so much of an act made (in the parliament of *Ire.*) 1 *G.2.*, intituled, *An Act for preventing combinations to enhance the prices, and for avoiding exactions and abuses formerly practised in the sale and measure of coals*, as relates to the dimensions of the half barrel, bushel, half bushel, peck, or half peck of coals; and also so much of 8 *G.2. c.12. s.2.*, made, among other things, for granting and continuing the duties upon salt and upon red and white herrings, as relates to the computation of the distance in miles between the pits and refineries of rock salt; and also an act made (in the parliament of *Ire.*) 9 *G.2.*, intituled, *An Act for ascertaining the gauge and the measure of barrels and half barrels used by brewers in selling beer, ale, and small beer*; and also so much of 24 *G.2. c.31. s.8.*, intituled, *An Act for explaining, amending, and enforcing an act passed in the 15th year of His late Majesty's reign, intituled, 'An Act for the better regulation of the linen and hempen manufactures in that part of G. B. called Scot., and for further regulating and encouraging the said manufactures'*, as relates to the weight of hemp or flax; and also an act made (in the parliament of *Ire.*) 26 *G.3.*, for preventing frauds in the measurement of lime; and also so much of 38 *G.3. c.89. s.4.*, intituled, *An Act for transferring the management of the salt duties to the commissioners of excise, and for repealing the duties on salt, and the drawbacks, allowances, and bounties thereon*, as relates to the weight of a bushel of salt; and also so much of 43 *G.3. c.69. s.12. in part*, intituled, *An Act to repeal the duties of excise payable in G. B., and to grant other duties in lieu thereof*, as relates to the quart, gallon, and barrel of beer or ale; [and all the said recited statutes or ordinances and acts, and parts of statutes and acts, so far as the same or any of them relate to the ascertaining or establishing any standards of weights and measures, or to the establishing or recognizing certain differences between weights and measures of the same denomination, but no further or otherwise, shall, from and after 1st May 1825, be and the same are hereby repealed]; save and except only so far as any such statutes or acts, or any part thereof, repeal any other statutes or acts, or any part thereof, which relate to the ascertaining or establishing any standard of weights and measures, or to the establishing or recognizing certain differences between weights and measures of the same denomination; all which statutes and acts, or any parts thereof so repealed, shall be and remain repealed, 5 *G.4. c.74. s.25.*

27. Provided, that nothing in this act contained shall extend to repeal the 31 *G.2. c.17.*, nor in any manner to affect or alter the power given by the said recited act to the dean, high steward, or his deputy, and the burgesses of the city of *Westminster*, to appoint a proper officer

to size and seal all weights and measures used by persons dealing by weight and measure in the said city of *Westminster* and the liberties thereof, but that all the powers given and reserved to the said dean, high steward, or his deputy, and burgesses, by the said recited act, shall and may be exercised in the appointing of a proper officer to size and seal all such weights and measures as shall, from the passing of this act, be lawful and be used by persons dealing by weight and measure within the said city and liberties of *Westminster*, and shall and may be used and exercised by any officer so appointed, in the same manner in all respects as is directed by the said recited act with relation to the weights and measures in the said recited act mentioned, 5 *G.4. c.74. s.24.*

28. Provided, that from and after the passing of this act [17th June 1824] all tuns, pipes, tertians, hogsheads, or other vessels of wine, oil, honey, and other gaugeable liquors, imported or brought into the port of the city of *London*, and landed within the said city and the liberties thereof, shall be subject and liable to be gauged, as heretofore hath been of right accustomed, by the lord mayor of the city for the time being, by virtue of his office of gauger, or by his sufficient deputies, lawfully appointed, save and except that the contents of all such tuns, pipes, tertians, hogsheads, and other vessels, shall and may be ascertained by the standard measure of capacity for liquids directed by this act, and the multiples thereof; and that all such tuns, pipes, tertians, hogsheads, or other vessels that shall be found wanting of the true contents which such tuns, pipes, tertians, hogsheads, or other vessels ought to be of, to be ascertained as aforesaid, together with the wine and other liquids therein contained, shall be subject and liable to the like seizures and forfeitures as is or are provided by any act of parliament heretofore made for ascertaining the true contents of tuns, pipes, tertians, hogsheads, and other vessels of wine, oil, honey, and other gaugeable liquors; and that the moiety of such forfeitures due to H. M., his heirs and successors, shall be, in like manner as heretofore hath been accustomed, accounted for by the lord mayor for the time being, as such gauger, and his deputies, to H. M., his heirs, and successors, in his and their court of exchequer at *Westminster*, 5 *G.4. c.74. s.25.*

29. Provided, that this act or any thing herein contained shall not extend to prohibit, defeat, injure, or lessen the right of the mayor and commonalty and citizens of the city of *London*, or of the lord mayor of the said city for the time being, of, in, to, or concerning the office of gauger of wines, oils, honey, and other gaugeable liquors imported and landed within the city of *London* and the liberties thereof, 5 *G.4. c.74. s.26.*

WOOL.

From and after 10th Dec. 1824, all acts and parts of acts of the parliament of *G. B.* and *Ire.* respectively, and of the parliament of the U. K. of *G. B.* and *Ire.* whereby the exportation from any part of the U. K., or from the islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, to foreign parts, or the carrying coastwise of sheep or lambs' wool, or any manufacture thereof, or of sheep or lambs alive, or of hare or coney wool, or of hare or coney skins is prohibited or restrained, or whereby the packing, marking, or moving of wool, or of any manufactures thereof within any part of the U. K., or the said islands, is in any way regulated, shall be repealed; and from and after 10 Dec. 1824 there shall be raised, levied, collected, and paid to H. M. a certain duty when such articles are exported, 5 *G.4. c.47. s.2.* [*This act is REP. from 5th July 1826, 6 G.4. c.105. s.382.*]

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sessions shall hear and determine appeal, *id. ibid.*

their judgment final, *id. ibid.*

may award costs under 5*l.* against either party, *id. ibid.*

for, fines, penalties, and forfeitures hereby imposed, if not before provided

how recovered and applied, *id. s.22.—5. pl.23.*

Miscellaneous :

licensed victuallers, or alehouse-keepers in Eng.

not to be constables, or headboroughs, 3 G.4. c.77. s.19.—5. pl.20.

not to be police-officers, or patroles, *id. ibid.*

if chosen, absolutely discharged from serving, when, *id. ibid.*

notice on, when void, *id. ibid.*

not to be deputy constables, *id. ibid.*

penalty on, for offending herein, *id. ibid.*

how recovered and applied, *id. ibid.*

measures in which ale or beer to be sold, *id. s.20.—5. pl.21.*

to be stamped according to standard, *id. ibid.* See WEIGHTS.

standard where to be obtained, *id. ibid.*

no other measures to be used, *id. ibid.*

exception, *id. ibid.*

penalty for offending herein, *id. ibid.*

how recovered and applied, *id. ibid.*

not paid, may be levied by distress, *id. ibid.*

ALEHOUSES — *Miscellaneous — continued.*

limitation of informing for, 3 G.4. c.77 s.30.

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not to charge for more beer, &c. than casks sent able to contain, 3 G.4. c.77. s.21.—5. pl.22.

penalty in case of offending herein, *id. ibid.*

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saving clauses,

for time of licensing in London, *id. s.23.—5. pl.24.*

for acts not herein expressly repealed, &c. 3 G.4. c.77.s.24.—5. pl.25.

for the rights, &c. of Oxford. *id. s.26.—5. pl.23.*

of Cambridge, *id. ibid.*

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ALIENS. (page 6.) See FISHERIES (*Newfoundland*).

The 56 G.3. c.86. [Stat. Dig. this tit. pl.47.] continued, 5 G.4. c.37. s.1.—6. pl.3.

not to extend to what aliens, 3 G.4. c.47. s.2.—6. pl.4.

Land of, escheating to crown, 6 G.4. c.17. s.1. See ESCHEAT.

AMERICAN COLONIES.

The 22 G.3. c.30. declared in force, 6 G.4. c.50. s.63.—126. pl.64.

ANNUITIES, LIFE. (page 6.)

Deed, bond, assignment, or other assurance whereby any annuity is granted, names of witnesses to, alone required in memorial under 53 G.3 c.141.—3 G.4. c.92. s.1.—6. pl.2.

enrolled according to 53 G.3. c.141. valid, although another deed, &c. for securing the same annuity, not enrolled, *id. s.2.—6. pl.3.*

what force enrolled deed to have in such case, *id. s.3.—6. pl.4.*

proviso for not reviving deed, &c. deemed void by judgment, &c. *id. s.4.—6. pl.5.*

for suits, &c. commenced prior to 31st May, 1822, *id. ibid.*

APPRENTICES. (page 6.)

Apprentices within the meaning of 20 G.2. c.19., 6 G.2. c.25., and 4 G.4. c.29. See Stat. Dig. tit. LABOURERS.

Guilty of any misdemeanor, misconduct, or ill behaviour, or having absconded, complaint may be made on oath against, 4 G.4. c.54. s.1.—6. pl.6.

by and to whom to be made, *id. ibid.*

oath, by whom administered, *id. ibid.*

justice to issue warrant for their apprehension, *id. ibid.*

to hear and determine complaint, *id. ibid.*

may punish apprentice, how, *id. ibid.*

wages due to such apprentices, [4 G.4. c.34. s.2.—6. pl.7.

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justices may examine the parties on oath, *id. ibid.*

also any witnesses, *id. ibid.*

to summon master, &c. *id. ibid.*

to make order for payment in their discretion, *id. ibid.*

sum not to exceed 10*l.* *id. ibid.*

nonpayment of, in pursuance of justices' order,

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how recovered when master, &c. absent, *id. s.4.* See LABOURERS.

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Saving for particular jurisdictions touching apprentices, *id. s.6.—6. pl.8.*

Apprentices with whom a certain premium has been given :

powers of 20 G.2. c.19. s.3. and 3 G.3. c.55. over apprentices with whom only 5*l.* or 10*l.* has been given, [pl. 2.

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apprentices ordered to be discharged under the said acts, by two justices, justices may order masters, &c. to refund premiums, &c. *id. s.2.—6. pl.3.*

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Miscellaneous :

discharged, if master, &c. is declared bankrupt, 6 G.4. c.16. s.4.—16.

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APOTHECARIES. (page 78.)

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appointment of persons so to do, form of, 6 G.4. c.133. s.1.—7. pl.2.

by whom made, *id. ibid.*

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Court of Examiners :

members of court of assistants may be members of, *id. s.2.—7. pl.3.*

how many may be so elected, *id. ibid.*

must be qualified according to 55 G.9. c.194. *id. ibid.*

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 such members becoming such masters or warden to vacate their seats
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 not to be re-elected; exception, *id. ibid.*
 oath or affirmation of members of,
 by whom to be administered, *id. s. 3.—7. pl. 4.*
 apprentices for five years to a member of the royal colleges of surgeons in
London, Edinburgh, or Dublin, or in the army or navy,
 may be examined by, 6 G. 4. c. 133. s. 6.—8. pl. 7.
 what proof of apprenticeship to be adduced, *id. ibid.*
 so of medical education and good conduct, *id. ibid.*
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 so from time to time as often as they apply, *id. ibid.*
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 admitted, *id. ibid.*
Practising as apothecaries in Eng. and Wa.
 surgeons, or assistant-surgeons of the navy, army, or *E. I. Co.* may do
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 need not prove such qualifications in actions for their fees, *id. ibid.*
 exceptions from the 55 G. 3. c. 194.
 construction of that in 55 G. 3. c. 194. s. 14. pl. 18. *id. s. 5.—8. pl. 6.*
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 so of that in 55 G. 3. c. 194. s. 21. pl. 25. *id. ibid.*
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 to prove to sustain action for fees, *id. ibid.*
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 the 6 & 7 W. & M. c. 4. REP. 6 G. 4. c. 50. s. 62.—126. pl. 63.
 the 9 G. 1. c. 8. s. 1. 2. REP. *id. ibid.*

ARBITRATION.

Of disputes between masters and workmen. See **LABOURERS.**

ARTIFICERS.

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 chandize by menaces or force, or threatening to accuse of an infamous
 crime, with intent to steal, how punished, 4 G. 4. c. 54. s. 5.—176.
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ASSEMBLIES.

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ASSIZES.

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The 1 & 2 G. 4. c. 48. not to extend to bachelors of law; exception, 3 G. 4.
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B.

BAIL.

suing of, by creditor of bankrupt when commission superseded, 6 G. 4.
 c. 16. s. 59.—17. pl. 81. [—17. pl. 74.
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BANKS OF RIVERS. (page 9.)

6 G. 2. c. 37. s. 5. AMD. 4 G. 4. c. 46. s. 1. See **OFFENCE, &c.**

BANKS FOR SAVINGS. (pages 9—12.)*Deposits in Eng. and Ire.*

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 penalty, how recovered and applied, *id. ibid.*
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or Ire., or to the Commissioners for Reduction, &c.
 payments into bank of *Ire.*
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 only permitted, *id. s. 27.—10. pl. 22.*
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 a receipt to issue in lieu, *id. s. 13.—9. pl. 8.*
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 commissioners for reduction, &c. may apply for, *id. s. 33.—11. pl. 28.*
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BANKS FOR SAVINGS—Investing, &c. deposits—continued.banks of *Eng.* or *Ire.*

may make advances upon them, 5 G.4. c.62. s.34.—11. pl.28. (a)

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duplicates of, to be made, 5 G.4. c.62. s.30.—11. pl.25.

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commissioners for reduction, &c.

power of, if orders disobeyed, *id.* s.29.—11. pl.24.

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to commissioners for reduction, *id.* s.39.—12. pl.33.to banks of *Eng.* and *Ire.*, *id.* *ibid.*

forms and schedules in former acts relating to,

repealed, *id.* s.38.—12. pl.32.who to supply new ones, *id.* *ibid.***BANKRUPT. (pages 12—24.)****Liability to become bankrupt; members of parliament being traders, and persons in partnership.**

Liability of persons to become bankrupt :

bankers, brokers and scriveners, 6 G.4. c.16. s.2—12. pl.24.

persons receiving other men's money or estates into their custody, *id.* *ibid.*insurers of ships or freight against perils of the sea, *id.* *ibid.*warehousemen, wharfingers, and packers, *id.* *ibid.*builders, carpenters, and shipwrights, *id.* *ibid.*victuallers, keepers of inns, taverns, &c. *id.* *ibid.*dyers, printers, bleachers, fullers, calenderers, *id.* *ibid.*cattle or sheep salesmen, *id.* *ibid.*persons using the trade of merchandize, when, *id.* *ibid.*persons seeking their living by buying or selling, *id.* *ibid.*so whether as agent, or factor, or as principals, *id.* *ibid.*by buying and letting to hire, *id.* *ibid.*

by workmanship of goods.

Who not liable :

farmers, graziers, or common labourers, *id.* *ibid.*workmen for hire, *id.* *ibid.*receivers of taxes, *id.* *ibid.*members of trading companies, when, *id.* *ibid.*

Traders having privilege of parliament,

committing any act of bankruptcy herein mentioned. [pl.31.

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proceedings at law against, to constitute an act of bankruptcy,

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[pl.33.

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Traders being in partnership,

where one commission has issued against two or more members of a firm,

it may be superseded as to one, *id.* s.16.—14. pl.38.so superseded, will not affect the other, *id.* *ibid.*

commission against another member of same firm,

to whom directed, *id.* s.17.—14. pl.39.when to merge in first commission, *id.* *ibid.*proviso for chancellor to direct a separate or joint proceeding on each commission, *id.* *ibid.*to direct it to any other persons, *id.* *ibid.*after adjudication on, commissioners to convey effects to assignees under first commission, *id.* *ibid.* [of a firm,

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allowed, for the choice of assignees, *id.* s.62—18. pl.84.for assenting, &c. to certificate, *id.* *ibid.*dividends not payable to such creditor, until when, *id.* *ibid.*unless creditor is the petitioning creditor, *id.* *ibid.*

Commissions against one or more members of a firm,

valid, 6 G.4. c.16. s.16.—14 pl.38.

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power of chancellor on petition herein, *id.* s.89.—19, 20. pl.111in whose names to be brought, *id.* *ibid.*release of, by solvent partner, void, *id.* *ibid.*costs of, solvent partner indemnified against, when, *id.* *ibid.*proceeds of, power of chancellor to direct payment of, to solvent partner, *id.* *ibid.*certificate of bankrupt partner for partnership debts, no discharge to solvent partner, *id.* s.121.—22. pl.143.

allowance to, on joint commissions,

[—23. pl.151.

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if done with intent to defeat or delay creditors,

departing realm, *id.* s.5.—12. pl.25.being out of realm, remaining abroad, *id.* *ibid.*departing from dwelling-house, *id.* *ibid.*absenting oneself, *id.* *ibid.*keeping house, *id.* *ibid.*being arrested for any debt not due, when, *id.* *ibid.*yielding oneself to prison, *id.* *ibid.*being outlawed, *id.* *ibid.*procuring oneself to be arrested, *id.* *ibid.*procuring one's money, goods, &c. to be sequestered, &c. *id.* *ibid.*making fraudulent conveyance of lands or goods, *id.* *ibid.*surrender of copyholds, *id.* *ibid.*gifts or delivery of goods, *id.* *ibid.*

assignment of effects to trustees for benefit of creditors,

how far an act of bankruptcy, *id.* s.4.—13. pl.26.when to be executed by trustees, *id.* *ibid.*execution of, how attested, *id.* *ibid.*notice of, what to state, and how given, *id.* *ibid.*

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if arrested, committed, or detained,

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for one debt, and detained 21 days upon another, *id.* *ibid.*shall afterwards escape, when, *id.* *ibid.*bankruptcy, from what day computed, *id.* *ibid.*proviso for persons in prison at commencement of act, *id.* *ibid.*

declarations of insolvency to be,

must be in writing, signed and attested how, *id.* s.6.—13. pl.28.to be filed with secretary of bankrupts, *id.* *ibid.*such secretary to sign a memorandum thereof, *id.* *ibid.*to be advertised in *London Gazette*, how soon, *id.* *ibid.*bankruptcy, from what day computed, *id.* *ibid.*docket upon it when to be struck, *id.* *ibid.*evidences of filing of, what, *id.* *ibid.*commission upon, *id.* *ibid.* See post.

[any trader,

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an act of bankruptcy, when, *id.* s.8.—13. pl.30.commission therein, *id.* *ibid.*penalty on party receiving, *id.* *ibid.*to whom paid, and how applied, *id.* *ibid.*

taking benefit of insolvent acts, 5 G.4. c.61. s.14.—116. pl.42.

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Petitioning creditor;

[sioners' warrants,

actions against, for things done by messengers in obedience to commis-

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 so, whether action joint with messenger or several, *id.* *ibid.*
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 assignee may sue on it in his own name, *id.* *ibid.*
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 Petitioning creditor's debts:
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[pl.134.
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so if he does not discover how he disposed thereof, *id. ibid.*

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so also all books, papers, &c. relating thereto, *id. ibid.*

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how, 5 G.4. c.107. s.3.—33. pl.15.

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proof admitted in respect of, *id. s.51.—16. pl.73.*

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so the bail of bankrupt either above or below, *id. ibid.*

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such parties may prove their demands, *id. ibid.*

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where such parties became liable after act of bankruptcy committed,

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may receive dividends thereon, *id. ibid.*

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where same made in respect of bills or notes whereon interest not re-
served, but overdue when commission issued,

holder may prove for interest, *id. s.57.—17. pl.79.*

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law or equity for any debt or demand,

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so, where judgment, &c. obtained in an action at law, *id. ibid.*

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 lands, tenements, and hereditaments, or any interest belonging to bank-
 rupt, or to which he is entitled,
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 what lands, &c. of bankrupt at home or abroad good as to, *id. ibid.*
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 deed, when must be registered, &c. *id. ibid.*
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 vacated, power of chancellor to direct reconveyance, *id. ibid.*
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 of lands, &c. whereof the bankrupt is seized of any estate tail in posses-
 sion, reversion, or remainder,
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 rupt is entitled,
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 money arising from,
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 what, and with whose approbation made, *id. s.114.—22. pl.136.*
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 arrest of,
 bankrupt free from,
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 surrender, *id. s.115.—22. pl.136.* [certificate allowed,
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 if he does not surrender, when, *id. s.112.—22. pl.134.*
 sign and subscribe surrender, *id. ibid.*
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 to whom he conveyed same, *id. ibid.*
 his books, papers, &c. *id. ibid.*
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 deliver up his effects, books, &c.
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 so in any affidavit or deposition, *id. ibid.*
 being quakers,
 may affirm the matter required to be sworn to, *id. ibid.*
 falsely affirming, how punished, *id. ibid.*
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 when, and how compellable to join in conveyance of his property to
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cestui que trusts, to apply by petition, *id. ibid.*
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 costs occasioned by, how recovered, *id. ibid.*
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 so also of the trading and act of bankruptcy,
 unless what notice given, *id. ibid.*
 notice of intention to dispute some of such matters,
 when, by and to whom to be given, *id. ibid.*
 costs occasioned by, by which side paid, *id. ibid.*
 service of, how proved, *id. ibid.*
 actions and suits in equity by assignees for debts, &c. due to bankrupt,
 what evidence of petitioning creditor's debt, *id. s.92.—20. pl.114.*
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 where notice of intention to dispute commission given by bankrupt,
 when to be given, *id. ibid.*
 commenced before time for giving such notice expired,
 defendant may pay the money into court, *id. s.93.—20. pl.115.*
 in such case proceedings stayed, *id. ibid.*
 assignees may take money out, when, *id. ibid.* [rupts,
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 office copies of evidence, *id. s.97.—20. pl.119.*
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 bills of fees, or disbursements of attornies employed under commission
 for business done after choice of assignees,
 to be settled by the commissioners, *id. s.14.—13. pl.36.*
 when by the officers of the court, *id. ibid.*
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gaoler, to whose custody bankrupt or other person committed under this act, permitting them to escape, penalty, 6 G.4. c.16. s.38.—15. pl.60.
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 what instruments and sales discharged of, *id.* s.98.—20. pl.120.
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 to women, *id.* *ibid.*
 not to *Scot.* or *Ire.*; exception, *id.* *ibid.*
 powers of, given to chancellor, given also to a lord keeper or lords commissioners, *id.* *ibid.*
 powers given to commissioners or assignees,
 to be performed by major part of commissioners, *id.* *ibid.*
 by one assignee, when, *id.* *ibid.*
 when to take effect, *id.* s.136.—24. pl.158. [s.135.—24. pl.157.
 proviso for subsisting commissions, and all proceedings thereunder, *id.*

BARN.

Firing by rioters, see 3 G.4. c.33. tit. MALICIOUS MISCHIEF.

BEACONS. See PILOTAGE.

BEDFORD LEVEL.

Penalty of death for cutting, &c., or destroying bank, mill, engine, flood-gate, or sluice belonging to, repealed, and transportation for life, or not less than seven years; or imprisonment with or without hard labour for not more than seven years substituted, 4 G.4. c.46. s.1.—174. pl.12.

BEER AND ALE. (pages 24—29.)

Beer and ale of an intermediate strength between strong and table beer:

brewers of, subject to same rules as common Brewers, 4 G.4. c.51. s.4.—24. pl.7.

Brewing of,

allowed by any person, under what rules, licences, &c. *id.* s.1.—24. pl.4.
 duty on, what, *id.* *ibid.*

how charged, *id.* s.2.—24. pl.5.

no abatement for leakage, fillings, &c. *id.* s.5.—24. pl.8.

strength; and penalty if more or less, *id.* s.2.—24. pl.5.

price; penalty, if exceeded, *id.* *ibid.*

treasury may increase, when, *id.* s.3.—24. pl.6.

porter not to be brewed with, *id.* s.2.—24. pl.5.

what ingredients only used in, *id.* *ibid.*

penalty for brewing porter at same time, *id.* *ibid.*

for adulterating beer, *id.* *ibid.*

premises, entry of, for, *id.* s.4.—24. pl.7.

no other beer or porter to be taken to, *id.* s.5.—24. pl.8.

penalty in case it is, *id.* *ibid.*

buildings or places, or utensils for,

how distinguished in entry, *id.* s.12.—25. pl.15.

what to be painted upon them, *id.* *ibid.*

excise officer to direct same to be renewed, when, *id.* *ibid.*

fixed pipes used in such buildings, *id.* *ibid.*

drawing of, to be delivered in when entry made, *id.* *ibid.*

what to show, *id.* *ibid.*

penalty in case of non-observance hereof, *id.* *ibid.*

not to be newly-erected, within what distance of another establishment, and *vice versa*, *id.* *ibid.*

penalty for breach hereof, *id.* *ibid.*

entries of, contrary hereto, void, *id.* *ibid.*

what to specify in reference to malt, *id.* s.13.—26. pl.16.

worts made on, to be mixed together, *id.* s.18.—26. pl.21.

to be so mixed before cleansed, run, &c. penalty, *id.* *ibid.*

tunning of such beer,

allowed only in vats, &c. of what content, *id.* *ibid.*

vats, &c. for, to be entered with excise, *id.* *ibid.*

to be gauged and inched, how, when, and by whom, *id.* *ibid.*

penalty for any neglect herein, *id.* *ibid.*

so, if contents altered, &c. without notice, *id.* *ibid.*

sending same out for sale or consumption, by four gallons,

cask how branded, *id.* s.19.—26. pl.22.

penalty for breach hereof, *id.* *ibid.*

proviso, where vendee brings his own cask, *id.* *ibid.* [s.20. pl.23.

declaration required on running, &c. any worts into cask, and penalty, *id.*

licence for, (See EXCISE.)

to be taken out from excise, *id.* s.4.—24. pl.7.

when to be granted, *id.* *ibid.*

to be granted, subject to what rules, *id.* *ibid.*

duty on, *id.* *ibid.*

Sale thereof,

to be from premises entered for brewing same, *id.* s.5.—24. pl.8.

allowed in any quantities, *id.* *ibid.*

not allowed, if for consumption on the premises, *id.* *ibid.*

penalty for non-observance hereof, *id.* *ibid.*

BEER AND ALE — *continued.*

Sale of, by retail, at places detached from the brewery,
 allowed on entering premises, where, 4 G.4. c.51. s.7.—25. pl.10.
 by whom allowed, *id.* *ibid.*

licence for, what required, *id.* *ibid.* (See EXCISE.)

where persons are in partnership, *id.* s.8.—25. pl.11.

only authorizes sale at premises in respect whereof granted, *id.* *ibid.*

to be taken out from the excise, *id.* s.7.—25. pl.10.

to be granted, subject to what restrictions, *id.* *ibid.*

by whom granted in *London*, *id.* *ibid.*

in other parts in *Eng.*, *id.* *ibid.*

in *Edinburgh*, *id.* *ibid.*

in any other part of *Scot.*, *id.* *ibid.*

expires in twelve months after date, *id.* *ibid.*

not to authorize such beer to be consumed on the premises, *id.* *ibid.*

not to entitle retailer to a wine, spirit, or cyder licence, *id.* *ibid.*

on expiration of, same to be renewed, how, *id.* s.8.—25. pl.11.

not allowed after expiration of licence, *id.* s.8.—25. pl.11.

penalty for selling without licence, *id.* *ibid.*

for consumption on the premises, *id.* *ibid.*

for dealing, &c. in any other beer, *id.* *ibid.*

only authorised by licence at the place so entered, *id.* *ibid.*

buildings, places, or utensils used in,

how distinguished in entry, *id.* s.12.—21. pl.15.

what to be painted on, *id.* *ibid.*

excise officer to direct same to be renewed, when, *id.* *ibid.*

not to be newly-erected within what distance of another place for sell-

ing other beer, and *vice versa*, *id.* *ibid.*

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entries of, contrary hereto, void, *id.* *ibid.*

Malt for brewing beer under 4 G.4. c.51.,

storehouse for, to be specified in entry of premises with the excise, *id.*

s.13.—26. pl.16.

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to be taken only from such storehouse, *id.* *ibid.*

taken from such storehouse to be entered in a book, *id.* *ibid.*

penalty for non-observance hereof, *id.* *ibid.*

for having any malt, and putting it in such store, *id.* *ibid.*

book for accounts of all malt used or received,

to be kept by the brewer, *id.* s.14.—25. pl.17.

to be delivered to him by excise officer, and how ruled, *id.* *ibid.*

what entries regarding malt made in, *id.* *ibid.*

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for neglecting to make required entries, *id.* *ibid.*

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for withholding or concealing book, *id.* *ibid.*

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duty of, with regard to, *id.* *ibid.*

gauging of, duty of brewer in regard to, *id.* s.16.—26. pl.19.

deficiencies, how discovered on, *id.* *ibid.*

penalty in case of, *id.* *ibid.*

entries may be made in book, at time of, *id.* s.17.—26. pl.20.

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not to be made by brewers under this act, except at what distance from

brewery, *id.* s.6.—25. pl.9.

Brewing beer under this act, and any other act,

allowed on separate licences, *id.* s.6.—25. pl.9.

from what penalties thereby protected, *id.* *ibid.*

establishments for, to be at what distance asunder, *id.* *ibid.*

the two kinds of beer not to be kept in same storehouse, &c. *id.* *ibid.*

to be kept at what distance asunder, *id.* *ibid.*

penalty for disobedience herein, *id.* *ibid.*

what declaration required at time of running, &c. any worts from fer-

menting tun into a cask, penalty, *id.* s.20.—27. pl.23.

Excise officers,

obstructing in execution of duty under this act, *id.* s.15.—26. pl.18.

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Duties payable under 4 G.4. c.51.

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how raised, levied, and collected, *id.* s.10.—25. pl.13.

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penalties for breach of rules relating to, *id.* *ibid.*

money arising from, paid into exchequer, *id.* s.11.—25. pl.14.

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 so apportioned to be registered where, *id. ibid.*
 duplicates of registry deposited where, *id. ibid.*
 fees, emoluments, and dues of,
 power of commissioners herein, *id. s.12.—37. pl.13.*
 how dealt with, *id. ibid.*
 from what sources derived, *id. ibid.*
 order of commissioners regarding,
 to be registered where, *id. ibid.*
 duplicate copy of, to be deposited where, *id. ibid.*
 may be altered or annulled when, and by whom, *id. ibid.*
 newly made, must be registered as before, *id. ibid.*
 what ecclesiastical authority exercised in, *id. s.37.—40. pl.38.*
 which the commissioners will not divide, or in which they will not create
 separate districts,
 incumbent of new church, &c. how paid, *id. s.22.—38. pl.23.*
 glebe, &c. apportioned for his benefit, *id. ibid.*
 what consent necessary, *id. ibid.*
 presentation to, in whom vested, *id. ibid.* (See s.31. pl.32.)
 In which any new church, &c. has been built, &c. instead of the old one,
 under these acts,
 endowments, rights, and emoluments of old one,
 may be transferred to new church, 3 G.4. c.72. s.30.—39. pl.31.
 commissioners to authorise transfer, *id. ibid.*
 who to make the transfer, *id. ibid.*
 inhabitants of parish to pay what sum to the commissioners, *id. ibid.*
 sum so paid how applied, *id. ibid.*
 how raised, *id. ibid.*
 so transferred, in whom vested, *id. ibid.*
 what rights, &c. pass by such transfer, *id. ibid.*
 instrument of transfer registered where, *id. ibid.*
 enrolled in chancery, *id. ibid.*
 banns of marriages, and marriages, christenings, churching, or burials in
 the new church,
 registry of, given to new church, *id. ibid.*
 so all ecclesiastical fees, &c. *id. ibid.*
 Not within the limitations of the 58 G.3. c.45. and 59 G.3. c.134. with
 respect to the population or extent, or which do not come within
 any of the regulations of the said acts or this act, in respect to ad-
 vances or loans in aid thereof, or which cannot comply with the
 regulations and restrictions contained therein,
 commissioners may exercise powers of the said acts and this act,
 therein, when, 3 G.4. c.72. s.32.—40. pl.33.
 may aid in procuring land therein, *id. ibid.*
 also in the division or consolidation of such parish in district, *id. ibid.*
 to state in their proceedings the special grounds of interference,
id. ibid.
 Affected by acts passed in the 2 or 3 G.4.
 powers of such acts, how far altered, &c. hereby, *id. s.35.—40. pl.36.*
 commissioners under these acts not to enforce order, &c. under these
 acts, so as to alter, &c. such acts, *id. ibid.*
 powers of such acts to remain and be enforced, *id. ibid.*
 Townships or extra-parochial places not having church accommodation
 for more than one-fourth of the inhabitants,
 certificate thereof to be made to bishop, 5 G.4. c.103. s.5.—41. pl.43.
 by whom made, and what to state, *id. ibid.*

CHURCHES—Townships not having church accommodation—Certificate—continued.

bishop may consent to building church, &c. by subscription, 5 G. 4. c. 103. s. 5.—41. pl. 43.
 consent may be withholden, how long, *id.* s. 10.—41. pl. 48.
 Churches built or purchased by subscription in, where placed, and how repaired, *id.* s. 5.—41. pl. 43.
 incumbent of, how provided for, *id.* *ibid.*
 what subscribers to be trustees, *id.* s. 6.—41. pl. 44.
 must be consecrated, *id.* s. 10.—41. pl. 48.
 trustees of, how elected, *id.* s. 6.—41. pl. 44.
 duty of, *id.* *ibid.*
 to name incumbent to bishops, *id.* *ibid.*
 to be life trustees, and continued how long, *id.* *ibid.*
 resigning or dying, &c. how renewed, *id.* s. 7.—41. pl. 45.
 who may vote at election of new one, *id.* *ibid.*
 who capable of acting as trustee, *id.* *ibid.*
 meeting for election, and notice of, how called and given, *id.* *ibid.*
 power of new trustee, *id.* *ibid.* [s. 12.—41, 42. pl. 50.
 incumbent to be in case subscribers die and no one can elect, *id.*
 where the subscribers shall not exceed three,
 all three life trustees, *id.* s. 8.—41. pl. 26.
 may exercise, what powers, *id.* *ibid.*
 may name successor by will or deed, *id.* *ibid.*
 nomination of incumbent to,
 to be made by life trustees to bishop, *id.* s. 6.—41. pl. 44.
 how long to be in such trustees, *id.* s. 12.—41, 42. pl. 50.
 to be subject to approbation and licence of bishop, *id.* *ibid.*
 to be incumbent of the parish,
 when and after what period, *id.* *ibid.*
 when made a district church to be in whom, *id.* *ibid.*
 to be in whom when all subscribers dead, *id.* *ibid.*
 Townships or extraparochial places, where any persons are willing to subscribe one half the expence for building or purchasing a church, &c. and the inhabitants are willing to make up residue by rates or by loans on credit of rates,
 bishop may consent on application made, *id.* s. 9.—41. pl. 47.
 application to, what to state, *id.* s. 10.—41. pl. 48.
 to make what offer of free seats, *id.* *ibid.*
 to offer to provide for incumbent out of pew rents, *id.* *ibid.*
 for what other expences, *id.* *ibid.*
 duplicate copy of, to be deposited, where, *id.* *ibid.*
 notice of, to be given, by and to whom, *id.* s. 11.—41. pl. 49.
 patron or incumbent may present counter statement, *id.* *ibid.*
 consent of, to be withholden how long, *id.* *ibid.*
 copy of, deposited, where, *id.* s. 10.—41. pl. 48.
 churches, &c. built, &c. jointly by rates and subscriptions, must be consecrated, *id.* *ibid.*
 nomination of incumbent to,
 in whom vested, *id.* s. 13.—42. pl. 51.
 so where same becomes a district church, &c. *id.* *ibid.*
 Churches, &c. built, &c. by private subscriptions, &c. or jointly, by private subscription and public rates,
 sites of, and of the cemetery,
 to be specified in the sentence of consecration, *id.* s. 14.—42. pl. 52.
 in whom vested, *id.* *ibid.*
 uses to which held, *id.* *ibid.*
 subject to the bishop of the diocese, *id.* *ibid.*
 persons in whom such sites shall be vested, and their style, *id.* *ibid.*
 to be specified in sentence of consecration, *id.* *ibid.*
 deemed a corporation, *id.* *ibid.*
 to hold such sites by such style and to what uses, *id.* *ibid.*
 not subject to laws of mortmain, *id.* *ibid.*
 aults beneath,
 may be sold by whom, *id.* s. 15.—42. pl. 53.
 money arising by sale of,
 how much paid incumbent, *id.* *ibid.*
 residue invested in what securities, *id.* *ibid.*
 interest of securities how applied, *id.* *ibid.* [expenditure,
 surplus of money arising by pew rents and such securities over to be applied to purposes pew rents applicable, *id.* *ibid.*
 pew rents in such case to be reduced, *id.* *ibid.*
 free seats extended, *id.* *ibid.*
 converted into district churches, &c. or remain parochial chapels, when, by whom, and with what consent, *id.* s. 16.—42. pl. 54.
 at all events at the end of what period, *id.* s. 17.—42. pl. 55.
 in such case H. M. to divide parish, *id.* *ibid.*
 powers of former acts,
 how far extended to such churches, &c. *id.* s. 18.—42. pl. 56.
 Conversion of a district chapelry made under 58 G. 3. c. 45., and 59 G. 3. c. 134., into a separate or district parish,
 who may do so, and when, 3 G. 4. c. 72. s. 16.—38. pl. 17.
 what consent necessary, *id.* *ibid.* [such conversion, *id.* *ibid.*
 what compensation to be made for loss of fees, &c. in consequence of to be under whose seal, *id.* *ibid.*
 where registered and duplicate copy lodged, *id.* *ibid.*

CHURCHES—continued.

Nomination of incumbent to any new church or chapel built by the commissioners, or by money granted by them, or in aid thereof, (see s. 22. pl. 23.)
 in whom vested, 4 G. 4. c. 72. s. 31.—40. pl. 32.
 so where parish locally situated in exempt jurisdiction, *id.* *ibid.*

Extraparochial places,

and divisions, &c. thereof, in and for which churches or chapels are built, &c. under these acts,
 laws and customs relating to banns of marriage extended to, 3 G. 4. c. 72. s. 18.—38. pl. 19.
 to those relating to marriages, *id.* *ibid.*
 christenings and burials, *id.* *ibid.*
 churching, *id.* *ibid.*
 registering thereof, *id.* *ibid.*
 oblations, and offerings and fees, *id.* *ibid.*
 to the churches and chapels thereof, *id.* *ibid.*
 to what ecclesiastical persons, *id.* *ibid.*

Vicarages and rectories:

Conversion of vicarages to rectories,
 in what case allowed, 3 G. 4. c. 72. s. 13.—37. pl. 14.
 what rights, dues, or emoluments must be restored, &c. *id.* *ibid.*
 instrument of restoration, form of, *id.* *ibid.*
 instrument of conversion to be under whose seal, *id.* *ibid.*
 to be made on what conditions, *id.* *ibid.*
 to be registered and enrolled, where, *id.* *ibid.*
 vicarage thenceforth deemed a rectory, *id.* *ibid.*
 saving rights of what other persons, *id.* *ibid.*
 vicar deemed a rector without induction, &c. *id.* *ibid.*
 entitled to what remedies for recovery of his tithes, &c. [*id.* *ibid.*
 restoration of tithes, glebe rights, &c. [*id.* *ibid.*
 may be accepted and confirmed before final transfer and division, by whom accepted and confirmed, *id.* *ibid.*
 consents and engagements in relation thereto, [*id.* *ibid.*
 may be accepted and recorded prior to final transfer and division, by whom accepted and recorded, *id.* *ibid.*
 how far, and upon whom, and in what events valid, *id.* *ibid.*
 not to impose a duty of maintaining more than one house of residence, *id.* *ibid.*
 if more than one, which maintained, *id.* *ibid.*
 order of bishop herein,
 where registered, *id.* *ibid.*
 duplicate copy of, where deposited, *id.* *ibid.*
 where the sinecure rector for two or more lives is desirous of retaining any manor or other hereditaments, being the glebe or parcel thereof,
 power of the commissioners herein, *id.* s. 14.—37. pl. 15.
 manor may be conveyed to sinecure rector in fee simple, *id.* *ibid.*
 what consent necessary, *id.* *ibid.*
 instrument of conveyance,
 to be under whose seal, *id.* *ibid.*
 by whom delivered and executed, *id.* *ibid.*
 to be in writing and enrolled, where, *id.* *ibid.*
 vests manor in the party to whom made, *id.* *ibid.*
 manor liable to tithes, *id.* *ibid.*
 Conversion of churches or chapels into churches or parochial chapels, or chapels of ease of a district parish or chapelry, or of chapelries, &c. into districts or separate parishes,
 surrender of right of patronage, presentation, or appointment to any benefice donative, perpetual curacy, or of any spiritual person to any church or chapel, or of any endowments or emoluments for the use of a church or chapel for,
 may be made to whom, *id.* s. 15.—38. pl. 16.
 by what persons may be made, and on whose behalf, *id.* *ibid.*
 so where the parties are under disabilities, *id.* *ibid.*
 what consent necessary, *id.* *ibid.*

Repairs,

Of chapels acquired, appropriated, or built, or enlarged and improved under these acts, or any local acts not providing therefore,
 by whom done, 3 G. 4. c. 72. s. 20.—38. pl. 21.
 so where districts of parishes are assigned or not, *id.* *ibid.*
 rates for, how levied, &c. *id.* *ibid.* [*id.* *ibid.*
 laws relating to levying, &c. rates for repairs of churches extended to, Of churches, &c. of divisions of divided parishes where the parish is again divided, and new church, &c. built, &c.
 liability to, removed from and by whom, and how, *id.* s. 21.—38. pl. 22.
 on whom fixed, and to what extent, *id.* *ibid.*

Marriages,

in the chapel of a district chapelry, 3 G. 4. c. 72. s. 17.—38. pl. 18.
 banns, where published if the parties live in the district, *id.* *ibid.*
 void if published elsewhere, *id.* *ibid.*
 in extraparochial places, *id.* s. 18.—38. pl. 20.
 in any church or chapel under these acts, (see s. 30. pl. 31.)
 allowance for, to be certified by bishops, *id.* s. 19.—38. pl. 20.
 so whether extraparochial or not, *id.* *ibid.*

CHURCHES—*Marriages in any church or chapel under these acts—continued.*
 certificate, where kept, 3 G. 4. c. 72. s. 19.—38. pl. 20.
 copy of, entered in marriage register, *id. ibid.*
 duplicate of, registered where in diocese, *id. ibid.* [*id. ibid.*
 evidence of what facts in disputes concerning marriages and banns,
 banns and marriages published and solemnized in them; valid, *id. ib.*
 not void although the bishop's certificate not duly given, *id. ibid.*

Pews and sittings,

In existing churches belonging to persons residing in any division of a parish in which a new church, &c. is built,
 rights to, commissioners may transfer, *id.* s. 23.—38. pl. 24.
 exchanged for rights to pews in new church, &c. *id. ibid.*
 what consent necessary, *id. ibid.*
 title to pew in new church same as that in old one, *id. ibid.*
 no faculty, &c. necessary, *id. ibid.*
 assignment of, when so exchanged, where registered, *id. ibid.*
 duplicate deposited in parish chest, *id. ibid.*
 not to carry greater rights than assignee had in old pew, *id. ibid.*

In churches or chapels rented under these acts,
 vacant, what notice required, and how given, *id.* s. 24.—39. pl. 25.
 becoming vacant, what notice required, *id. ibid.*
 may be let to inhabitant of adjoining parish, when, *id. ibid.*
 rent and term for which let, *id. ibid.*
 when term expired to be inserted in list of vacant pews, *id. ibid.*
 may be let to any person willing to take them, when, *id. ibid.*
 leased for a longer time than a year,
 lease to expire at end of current year,
 if the lessee ceases to reside, 3 G. 4. c. 72. s. 25.—39. pl. 26.
 if the lessee ceases to attend church, *id. ibid.*
 rents of, when to be reduced, 5 G. 4. c. 103. s. 15.—42. pl. 53.

Miscellaneous :

free seats,
 in old churches where a parish is divided, and new church, &c. built,
 pews of persons residing in division opened as, when, 3 G. 4. c. 72.
 s. 23.—38. pl. 24. [—42. pl. 53.
 extended where a surplus of revenue exists, when, 5 G. 4. c. 103. s. 15.
 materials used in the building, &c. of churches, &c. under this act, [pl. 28.
 custom duties on remitted, when and how, 3 G. 4. c. 72. s. 27.—39.
 drawback on allowed, when, *id. ibid.*
 stamps or instruments used under or in relation to these acts,
 how far remitted, *id.* s. 28.—39. pl. 29.
 grants to churches or chapels in relation to which any trusts have been created by act of parliament or by any deed of consecration not in all respects concurring with the said acts, [pl. 34.
 commissioners may make new ones, and confirm old ones, *id.* s. 33.—40.
 may declare at same time that trusts be executed, *id. ibid.*
 to enter in their proceedings grounds thereof, *id. ibid.*
 in such case trusts shall be executed, *id. ibid.*
 ecclesiastical laws or constitutions of Eng.
 not altered by these acts, *id.* s. 36.—40. pl. 37.
 these acts, viz. 58 G. 3. c. 45., 59 G. 3. c. 134., 3 G. 4. c. 72.
 not to affect what other acts, *id.* s. 35.—40. pl. 36.
 the ecclesiastical laws of Eng. *id.* s. 36.—40. pl. 37.
 the rights or powers of any bishop, &c. *id. ibid.*
 pulling down and destroying, see 3 G. 4. c. 33. s. 1. **MALICIOUS MISCHIEF.**
 churches in foreign parts,
 power of consuls in case of, 6 G. 4. c. 87. s. 10.—50. pl. 11. See **CONSULS.**
 how supported, *id. ibid.*
 purchase of, by public contributions.

CHURCHWARDENS.

May charge loans for building, &c. church, on what rates, 3 G. 4. c. 72.
 s. 5.—36. pl. 6.
 form of instrument for, *id. ibid.*

CLERK OF PEACE.

Duty of, in gaols, 4 G. 4. c. 64. s. 74.—102. pl. 107.
 Duty of, in regard to levying fines, &c. See **FINES AND AMERCIAMENTS.**

CLERKS.

Robbing their masters. See **SERVANTS,**

COAL MINES. See MALICIOUS MISCHIEF.

COALS.

The 57 G. 3. c. 27. s. 3. how far **REF.** 6 G. 4. c. 129. s. 2.—46. pl. 4. See **COMBINATIONS.**

COCOA PASTE.

Sale of, 3 G. 4. c. 53. s. 7.—80. pl. 8. See **EXCISE.**

COIN. (pages 42—45.)

Provisions for assimilating the Irish to the British currency :

Currency of G. B.
 deemed currency of the U. K., 6 G. 4. c. 79. s. 1.—42. pl. 2.
 proviso for foreign currency, *id.* s. 9.—44. pl. 10.
 Contracts, receipts, payments, gifts, grants, judgments, specialties, securities,
 and transactions for money,
 to be in the currency of G. B., *id.* s. 1.—42. pl. 2.
 to be deemed as made in, *id. ibid.*
 exception, *id. ibid.*

COIN — Currency — Contracts — continued.

entered into any time before the commencement of this act, with reference to the currency of Ire.,
 to be paid, &c. in the currency of U. K., 6 G. 4. c. 79. s. 2.—43. pl. 3.
 rate at which currency calculated, *id. ibid.*
 made according to currency of foreign parts,
 proviso for, *id.* s. 9.—44. pl. 10.
 made after the commencement of this act, arising out of or founded upon any contracts, &c. made before,
 deemed within this act, *id.* s. 10.—44. pl. 11.

Customs, excise, taxes, stamps, and postage, and all rents and revenues payable to H. M., and all other public dues, &c. payable in Ire., and all drawbacks, bounties, and allowances in respect thereof,
 to cease to be estimated in Irish currency, 6 G. 4. c. 79. s. 3.—43. pl. 4.
 converted into British currency, *id. ibid.*
 to be estimated and paid by public officers in British currency, *id. ibid.*
 rate at which to be calculated, *id. ibid.*

Public debt, stocks, funds, annuities, debentures, treasury bills, and securities payable or transferrable at the bank of Ire., and all dividends and interests thereon and payments thereof,
 to cease to be estimated in such currency, *id. ibid.*
 converted into British currency, *id. ibid.*
 rate at which calculated, *id. ibid.*
 to be estimated, paid, &c. in British currency, *id. ibid.*

Public stock or funds in Ire. so converted,
 pence and fractions of penny of principal,
 to be paid with the dividends on first payment after conversion, *id.* s. 6.—44. pl. 7.

not to exceed one shilling, *id. ibid.*
 bank of Ire. to certify such payments, to whom, *id.* s. 7.—44. pl. 8.
 who to certify such payments to treasury, *id. ibid.*
 duty of treasury on such certificate, *id. ibid.*
 bank of Ire., how reimbursed such money, *id. ibid.*
 duty of commissioners for reduction, &c., *id. ibid.*

Annual sums chargeable on the consolidated fund so converted,
 fractions of a penny in,
 how avoided, *id.* s. 8.—44. pl. 9.
 duty of treasury herein, *id. ibid.*

Books, papers, returns, statements, receipts, &c. relating to such duties, drawbacks, public debt, &c., to be kept and stated in British currency, *id.* s. 3.—43. pl. 4.

Where upon the calculation for converting Irish to British currency a fraction of a penny appears,
 no sum to be paid or asked in respect thereof, when, *id.* s. 5.—43. pl. 6.
 upon calculations giving fractions exceeding $\frac{1}{2}$,
 what deemed equivalent to a farthing, *id. ibid.*
 to a halfpenny, *id. ibid.*
 to three farthings, *id. ibid.*
 to one penny, *id. ibid.*

such sums to be taken and paid for same, *id. ibid.*
 such fractions calculated upon such rules, and paid, how, *id. ibid.*

Where sums under 12d. Irish cannot be paid by an equivalent in pence, halfpence, or farthings British,
 what deemed payments of sums,
 $\frac{1}{2}$, $\frac{1}{4}$, $\frac{3}{4}$, 1d., 1½d., 1¾d., Irish, 6 G. 4. c. 79. s. 13.—44. pl. 14.
 exceeding 1½d., and not exceeding 4¾d. *id. ibid.*

4¾d.	—	8d., <i>id. ibid.</i>
8d.	—	11½d., <i>id. ibid.</i>
11d.	—	12d., <i>id. ibid.</i>

Notes re-issuable by bankers in Ire. under 55 G. 3. c. 100. s. 8.
 in future to be made payable in British currency, *id.* s. 14.—45. pl. 15.
 already made not again reissuable if payable in Irish currency, *id. ibid.*
 penalty, &c. *id. ibid.*
 allowance upon stamps affixed to such notes,
 how made and claimed, *id.* s. 15.—45. pl. 16.
 in what proportions made, *id. ibid.*

Treasury

may distribute copies or extracts of this act, *id.* s. 16.—44. pl. 17.
 also any explanation thereof, *id. ibid.*
 also any orders relating thereto, *id. ibid.*
 also any tables of difference in the two currencies, *id. ibid.*
 expences how paid, *id. ibid.*

Gold and silver coin of G. B. [c. 79. s. 11.—44. pl. 12.
 to be current in Ire. for same value as in other parts of U. K., 6 G. 4.
 for what value to be taken and paid, *id. ibid.*
 into what parts divisible, *id. ibid.*
 proclamation for making them current, *id. ibid.*
 value of a British silver sixpence, *id. ibid.*
 shilling, *id. ibid.*
 half crown, *id. ibid.*
 crown piece, *id. ibid.*
 gold half sovereign, *id. ibid.*
 half a guinea, *id. ibid.*
 sovereign, *id. ibid.*
 guinea, *id. ibid.*
 double sovereign, *id. ibid.*

COIN — *Assimilating the currency — continued.*

Irish copper coin passing for 13d. or 26 half-pennies of the currency of *Ire.* called in, by what proclamation, 6 G.4. c.79. s.12.—44. pl.13.
to be delivered to bank of *Ire.*, *id. ibid.*
copper coin of *G. B.* to be delivered in lieu thereof, *id. ibid.*
to cease to be current, when, *id. ibid.*

Copper coin of *G. B.*, [44. pl.13.
to be delivered in lieu of *Irish* copper coin brought to bank, *id. s.12.—*
rate at which so delivered, *id. ibid.*
sums under 12d. *Irish* payable in, *id. s.5.—43. pl. 6.*

This act, 6 G.4. c.79.

not to affect

the quantity of gold or silver coin payable in discharge

of any public revenue or debt, *id. s.4.—43. pl. 5.*

of any sum mentioned in any act of parliament, *id. ibid.*

any franchise, right, privilege, &c.,

resulting from possession of any lands, rents, &c., *id. ibid.*

not to increase or decrease

the quantity of gold or silver coin payable in discharge of any sum

payable at time of passing hereof, *id. ibid.*

to become payable at any time thereafter, *id. ibid.*

of any sum of money contained in any bye law, *id. ibid.*

payable under any authority, *id. ibid.*

copies and extracts of,

treasury may publish and distribute, *id. s.16.—45. pl.17.*

expence of making, how paid, *id. ibid.*

COGNOVIT.

Filing of, 3 G.4. c.39. s.3.—335. pl.4. See WARRANT OF ATTORNEY.

COLONIES. (pages 45, 46.)

Trade to. See NAVIGATION.

Ecclesiastical establishments in the West Indies :

bishopric of *Jamaica*,

extent of diocese, 6 G.4. c.88. s.1.—45. pl.2.

church establishment in, *id. ibid.*

bishopric of *Barbadoes* and the *Leeward* islands,

extent of diocese, *id. ibid.*

church establishment in, *id. ibid.*

salaries of the two bishops, *id. ibid.*

of the archdeacon of *Jamaica*, *id. ibid.*

of *Antigua*, *id. ibid.*

of *Barbadoes*, *id. ibid.*

of the ministers of the gospel within such dioceses, *id. ibid.*

of the three catechists, *id. ibid.*

to be issued out of the consolidated fund, *id. s. 2.—45. pl.3.*

power of treasury herein, *id. ibid.*

on resignation,

to such bishops, *id. s. 3.—45. pl.4.*

when to commence, *id. ibid.*

upon what fund chargeable, *id. ibid.*

in what manner payable, *id. ibid.*

when bishop entitled to, *id. ibid.*

[*id. s.4.—45, 46. pl. 5.*

to be chargeable upon the $4\frac{1}{2}$ per cent. duties when, and in what order,

COMBINATIONS. (pages 46—49.)

Amongst shipwrights, how prevented, 6 G.4. c.110. s.7.—213. pl.20.

Amongst seamen, how prevented, *id. s.8.—213. pl.81.*

Acts repealed :

The 5 G.4. c.95. and reasons why, 6 G.4. c.129. s.1.—46. pl.3.

33 Ed.1. st.1. how far, *id. s. 2.—46. pl.4.*

3 H.6. c.1. how far, *id. ibid.*

33 H.8. (*Ir.*) st.1. c.9. how far, *id. ibid.*

2 & 3 Ed.6. c.15. how far, *id. ibid.*

Scotch acts in 5th parl. James 1. what and how far, *id. ibid.*

in 7th parl. James 1. what and how far, *id. ibid.*

in 5th parl. Queen Mary, what, *id. ibid.*

in 7th parl. James 6th, what and how far, *id. ibid.*

13 & 14 C.2. c.15. s.10. how far, *id. ibid.*

7 G.1. st.1. c.13. how far, *id. ibid.*

12 G.1. c.34. s.1. 8. how far, *id. ibid.*

3 G.2. (*Ir.*) c.14. how far, *id. ibid.*

17 G.2. (*Ir.*) c.28. how far, *id. ibid.*

22 G.2. c.27. s.12. how far, *id. ibid.*

29 G.2. c.23. s.1, 2. how far, *id. ibid.*

Offences connected with ;

Journeymen manufacturers, workmen, or others,

hired or employed,

[nished, 6 G.4. c.129. s.3.—47. pl.5.

forcing, &c. by violence, threats, &c. to depart his hiring, how pu-
to return his work before finished, how punished, *id. ibid.*

not hired or employed,

endeavouring to prevent them hiring themselves, how punished, *id. ibid.*

from accepting work, *id. ibid.*

whether hired or not,

[*id. ibid.*

forcing by violence, threats, &c. to belong to clubs, how punished,
to contribute to any common fund, *id. ibid.*

to pay any fine for not so belonging or contributing, *id. ibid.*

for not complying with rules, &c., *id. ibid.*

COMBINATIONS — *Offences connected with — continued.*

meeting together to consult, not punished,

[48. pl.6.

if to determine rate of wages to be paid to them, 6 G.4. c.129. s.4.—

the hours or time they will work, *id. ibid.*

entering into any agreement, &c. verbal or written, not punished,

if to fix such rate of wages, *id. ibid.*

such time or hours for work, *id. ibid.*

Manufacturers, or persons carrying on trade,

forcing, &c. by violence, threats, or intimidation,

to alter his mode of carrying on business, *id. s.3.—48. pl. 5.*

to limit the number of his apprentices, *id. ibid.*

the number or description of his workmen, *id. ibid.*

meeting together to consult, not punished,

if to determine rate of wages to be paid by them, *id. s.5.—48. pl.7.*

the hours or time their workmen shall work, *id. ibid.*

entering into any agreement verbal or written, not punished,

if to fix such rate of wages, *id. ibid.*

such hours for work, *id. ibid.*

Prosecuting for offences connected with ;

Witnesses on, on behalf of crown,

offenders against act may be, 6 G.4. c.129. s.6.—48. pl. 8.

exception, *id. ibid.*

indemnified for acts to which they shall testify, *id. ibid.*

Complaints or informations of offences against this act,

to be made on oath to a justice, *id. s.7.—48. pl.9.*

limitation of, *id. ibid.*

summons to be issued by justice, *id. ibid.*

to direct offender to appear before two justices, *id. ibid.*

service of, how made and proved, *id. ibid.*

offender not appearing on, how to proceed, *id. ibid.*

warrant to apprehend offender, when to be issued, *id. ibid.*

before summons, when, *id. ibid.*

offender absconding, or appearing, how to proceed,

proof of absconding, how made, *id. ibid.*

justices to enquire into matter, on what evidence, *id. ibid.*

to determine complaint, *id. ibid.*

to convict or acquit, when, *id. ibid.*

who only to act as under this act, *id. s.13.—48. pl.15.*

witness on either side,

justice to summon on request, *id. s.8.—48. pl.10.*

to appear, when and where, on summons, *id. ibid.*

service of summons on, how and when made and proved, *id. ibid.*

not obeying summons, committed, *id. ibid.*

obeying, but refusing to be examined, committed, *id. ibid.*

warrants or orders for commitment of, form of, *id. s.9.—47. pl.11. 15.*

conviction, form of, *id. ibid.*

Convictions on, form of, *id. ibid.*

to be fairly written on parchment, *id. s.10.—48. pl.12.*

to be transmitted to what sessions, *id. ibid.*

to be filed among records of such session, *id. ibid.*

Appeal from judgment of justices in,

to what sessions allowed, *id. s.12.—48. pl.14.*

execution of judgment stayed in case of, *id. ibid.*

recognizance, surety, and condition, *id. ibid.*

sessions to hear and determine, *id. ibid.* and *id. s.10.—48. pl.12.*

to award costs, *id. ibid.*

to commit appellant, when, *id. ibid.*

decision of, final, *id. ibid.*

in *Scot.*

may be insisted on at instance of public prosecutor, *id. s.11.—48. pl.13.*

may be judged of by two justices, *id. ibid.*

by the sheriff, *id. ibid.*

COMMON.

[correction, 5 G.4. c.85. s.18.—101. pl.99.

Provision where commonable land is required to build a gaol or house of

CONSERVATORY.

See 6 G.4. c.127.—176. pl.24.

CONSPIRACY. (page 49.)

[COMBINATIONS.

The 33 Ed.1. st.1. how far REP. 6 G.4. c.129. s.2.—46. pl.4. See

2 & 3 Ed.6. c.15. how far REP. *id. ibid.*, 5 G.4. c.95 s.1.—49. pl.1.

39 & 40 G.3 c.106. how far REP. *id. ibid.* 5 G.4. c.96. s.1.—49. pl.2.

131. pl.8.

41 G.3. (U. K.) c.38. *id. ibid.*

CONSTABLES.

Appointing, on application of inhabitants of street, or square, or proprietors

of place of public resort within weekly bills, and the parishes of *St*

Marylebone, *Paddington*, *St. Pancras*, *Kensington*, and *St. Luke Chel-*

sea, to keep the peace therein, 6 G.4. c.21. s.4.—200. pl.55.

exempt from serving on juries, 6 G.4. c.50. s.2.—119. pl.3.

licensed victualler, &c. not to be, 3 G.4. c.77.—5. pl.20. See ALEHOUSES.

power of, in executing warrants of justices, 5 G.4. c.18. s.5.—130. pl.14.

CONSULS. (pages 49—52.)

Emoluments of :

Salaries of consuls, or consuls general, appointed by H.M. to reside within

the dominions of a foreign state,

to be in discretion of H. M. in council, 6 G.4. c.87. s.1.—49. pl.2.

CONSULS — *continued.*

Salaries,

- to be issued and paid without fee, 6 G.4. c. 87. s. 1.—49. pl. 2.
- to be granted during pleasure, *id. ibid.*
- payable only so long as they actually reside, *id. ibid.*
- exception in case of leave of absence, *id. ibid.*
- leave of absence how obtained, *id. ibid.*
- to be in lieu of what salaries, fees, &c. *id. s. 3—49. pl. 4.*
- from masters of *British* ships, *id. ibid.*
- from other persons in respect of what duties, *id. ibid.*
- estimate of, for one year,
- to be laid before parliament, when, *id. s. 19.—51. pl. 20.*
- grants of, to be also laid before parliament, *id. ibid.*

Fees to,

- salaries to be in lieu of, 6 G.4. c. 87. s. 3.—49. pl. 4.
- what payable, *id. s. 4.—49. pl. 5. and schedules A & B. pages 51, 52.*
- may be increased or diminished by order in council, *id. ibid.*
- may be abolished by like order, *id. ibid.*
- new and additional ones may be established, *id. ibid.*
- asking, demanding, taking, or receiving any greater fee,
- penalty, *id. s. 5.—49. pl. 6.*
- second such offence, forfeits his office, *id. ibid.*
- incapable of serving H. M., *id. ibid.*
- tables of duty printed, hung up, *id. s. 6.—49. pl. 7.*
- in the custom-houses of the kingdom, *id. ibid.*
- to be given gratuitously by custom officers to masters of ships, *id. ibid.*
- to be hung up in consul's office, *id. s. 7.—49. pl. 8.*
- penalty on consul omitting so to do, *id. ibid.*
- refusing to permit its inspection, *id. ibid.*

Superannuation allowances to,

- under regulation of what acts, *id. s. 8.—50. pl. 9.*
- where recalled by reason of war,
- what allowance H. M. in council may make, *id. s. 9.—50. pl. 10.*

Disbursements of money by,

- Where a chaplain maintained by voluntary contributions is resident abroad, and performs divine service according to churches of *Eng. or Scot.*
- H. M. may direct advance of money to consul, when, 6 G.4. c. 87. s. 10.—50. pl. 11.

consul to apply same,

- towards maintenance of chaplain, *id. ibid.*
- expences incident to church service, *id. ibid.*
- maintaining a burial ground, when, *id. ibid.*
- interment of H. M.'s subject, where, *id. ibid.*

not to exceed how much, *id. ibid.*

- accounts of money expended, how made up, *id. ibid.* [*id. ibid.*
- to state amount of public contributions in the port for such purposes,
- to whom transmitted, *id. ibid.*
- duty of treasury on receipt of, *id. ibid.*

Where a church, burial ground, or hospital is erected, purchased, or appropriated, and half the expence defrayed by public contributions,

H. M. to direct advance of money to consul, *id. s. 11.—50. pl. 12.*consul to apply same, how, *id. ibid.*not to exceed how much, *id. ibid.*

- accounts of money so expended and contributed, how and when made up, and to whom transmitted, *id. ibid.*

plan and estimate upon oath of some competent person to be transmitted to H. M. before money advanced, *id. s. 12.—50. pl. 13.*what to state, *id. ibid.*H. M. to signify his approbation of, *id. ibid.*

- money subscribed for, by voluntary contributions,
- to be actually paid up before such advance made, *id. ibid.*
- in what securities invested and in whose name, *id. ibid.*
- exception when what security given, *id. ibid.*
- security so given, where deposited, *id. ibid.*
- how disposed of when fulfilled, *id. ibid.*

On account of shipwrecked mariners, prisoners of war, or other distressed persons, H. M.'s subjects,

- consul to have credit for, with treasury, *id. s. 18.—51. pl. 19.*
- to be made according to rules prescribed by H. M. in council, *id. ibid.*
- account of such expenditure forwarded to H. M., *id. ibid.*

Accounts of, to be laid before parliament, when, *id. s. 20.—51. pl. 20.**Duty of, with regard to church establishment abroad :*

Churches or chapels purchased, used, &c. with money advanced by consul as before mentioned,

chaplains of,

- by whom appointed, 6 G.4. c. 87. s. 13.—50. pl. 14.
- to hold office during H. M.'s pleasure, *id. ibid.*
- salary of, in *Europe*, *id. ibid.*
- out of *Europe*, *id. ibid.*

meeting of H. M.'s subjects in foreign parts where such churches, &c. [are established,

- how and when called, *id. s. 14.—51. pl. 15.*
- by whom convened, and notice of how given, *id. ibid.*
- where to be holden, *id. ibid.*
- what persons may be present and vote at, *id. ibid.*
- consul to preside over, *id. ibid.*
- who in case of his absence, *id. ibid.*

CONSULS — *Churches abroad — continued.*

- casting vote at, to whom given, 6 G.4. c. 87. s. 15.—51. pl. 16.
- rules and orders for governance of,
- by whom and where made, *id. ibid.*
- may be revoked and altered, *id. ibid.*
- what to regulate and controul, *id. ibid.*
- must be approved, by whom, *id. ibid.*
- must be transmitted to H. M., by whom, *id. ibid.*
- power of H. M. in regard to, *id. ibid.*
- orders of H. M. in reference to, where recorded, *id. ibid.*
- who bound by, *id. ibid.*

Miscellaneous :

- acts relating to shipwrecked mariners, &c.
- what, *REP. 6 G.4. c. 87. s. 16.—51. pl. 17.* [of, *id. s. 17.—51. pl. 18.*
- money collected under, and in hand at time of repeal of, how disposed
- parliament, what orders, grants, accounts, &c. made under this act, to be
- laid before, *id. s. 59.—51. pl. 20.*
- oaths, power of consul to administer, *id. s. 20.—51. pl. 21.*
- notary, power of consul to act as, *id. ibid.*
- penalties under this act, [pl. 22.
- to be recovered in name of H. M.'s attorney general, *id. s. 21.—51.*
- how applied, *id. ibid.*

COOPER.

The 23 H.8. c. 4., *REP. 5 G.4. c. 74. s. 23.* See WEIGHTS, &c.

CORN.

Roasted, sale of, 3 G.4. c. 53.—78. pl. 1. See EXCISE.

Firing stacks of. See 3 G.4. c. 33. MALICIOUS MISCHIEF.

CORONER.

Not liable to serve on juries, 6 G.4. c. 50. s. 2.—119. pl. 3. See JURY.

Inquests by, on bodies of prisoners, 4 G.4. c. 64. s. 11.—92. pl. 32.

COPYHOLDS.

Of bankrupt, sale of, 6 G.4. c. 16. s. 68.—18. pl. 89.

CORPORATION. (*page 52.*)

The 6 G.1. c. 18. ss. 18—21. relating to trading companies, &c.

how far repealed, 6 G.4. c. 91. s. 1.—52. pl. 2.

suits, &c. pending under, not affected, *id. ibid.*

Charters of incorporation granted by H. M.

may render members individually liable to what debts, *id. s. 2.—52. pl. 3.*

power of H. M. to limit, &c. such liability, *id. ibid.*

Agent of, may prove debts in bankruptcy, 6 G.4. c. 16. s. 46.—16. pl. 68.

knowledge of, knowledge of principal, *id. s. 85.—19. pl. 107.*

COTTON MANUFACTURES. (*pages 52, 53.*) See LA-BOURERS.*Employment of work people in;*

If under sixteen years old,

not to work more than twelve hours per day, 6 G.4. c. 63. s. 1.—52. pl. 4.

to be reckoned exclusive of meals, *id. ibid.*

such twelve hours to be within 5 A.M. and 8 P.M., *id. ibid.*

on *Saturdays*,

how long only to work, *id. s. 2.—52. pl. 5.*

within what hours work completed within, *id. ibid.*

allowance of time for meals, *id. s. 3.—52. pl. 5.*

within what hours to be made, *id. ibid.*

such persons to do no work within them, *id. ibid.*

in case of accidents to the mills or machinery, time for working may be extended, *id. s. 4, 5.—52. pl. 7, 8.*

Munufactories ;

to be whitewashed annually, 6 G.4. c. 63. s. 6.—52. pl. 9.

copy of act to be hung up within, *id. s. 7.—52. pl. 10.*

occupiers or foremen of,

offending against this act, penalty, *id. s. 8.—52. pl. 11.*

penalty how applied, *id. ibid.*

not to exceed how much in one day, *id. ibid.*

how recovered, *id. ibid.*

limitation of information for, *id. ibid.*

only one offence in one day to be prosecuted for, *id. ibid.*

exception, *id. ibid.*

books for the entry of names of children employed in, under nine years old,

who to keep, *id. s. 9.—53. pl. 12.*

entry in, how signed, *id. ibid.*

saves occupier, &c. from what penalties, *id. ibid.*

when to be made, and what to state, *id. ibid.*

Miscellaneous :

witnesses,

justice to summon, on request in writing made, *id. s. 11.—53. pl. 14.*

summons to, to state time and place of meeting, *id. ibid.*

service of, how made and proved, *id. ibid.*

not appearing, or appearing, refusing to be examined,

committed, how, and for how long, *id. ibid.*

warrant of committal, form of, *id. ibid.*, *id. s. 12.—53. pl. 15.*

convictions under this act not appealed from, *id. s. 13.—53. pl. 16.*

actions for things done under this act,

plea, evidence, costs, *id. s. 14.—53. pl. 17.*

former acts, powers of extended to this act, *id. s. 15.—53. pl. 18.*

COTTON MANUFACTURES— *Miscellaneous— continued.*

forms to be used under this act, 6 G.4. c. 63. s.12.—53. pl.15.
 who not to act as justice under this act, *id.* s.10.—53. pl.13.
 cutting of, whilst manufacturing, 4G.4. c.46. s.2.—174. pl.13.
 acts repealed by 5G.4. c.96. s.1.—131. pl.8.

COUNTY PALATINE.

Courts of, may direct infants, &c. to convey, 6 G.4. c.74. s.2.—54. pl.7.
 See COURTS (CHANCERY).

The 33 H.6. c.2. REP. 6 G.4. c.50. s.62.—126. pl.63.

COUNTY RATE.

Mortgage of. See GAOLS.

COUNTY TREASURER.

Duty of, under 4 G.4. c. 64. (GAOLS) how performed in places where he hath no authority, 4G.4. c.64. s.74.—102. pl.107.

COURTS (CHANCERY). (pages 53—56.) See FEES.

Amending 41 G.3. (U.K.) c. 90. (Stat. Dig. this tit. pl.72.)
 enforcing in *Eng.* orders of the courts of chancery made in *Ire.*
 how, 5G.4. c.111.—54. pl.2.
 what orders may be so enforced, *id.* *ibid.*
 in what proceedings such orders to be made, *id.* *ibid.*
 the 41 G.3. c.90. how far extended to this act, *id.* *ibid.*

Rolls Court,

decrees of, pronounced during the absence of the Master of the Rolls,
 how far valid, 6 G.4. c.93.—54. pl.4.
 legality of, why questioned, preamble to 6 G.4. c.93.—54. pl.4.
 how far enforceable, *id.* *ibid.*
 when petition has been reheard, excepted out of act, *id.* *ibid.*
 salary of master of, 6 G.4. c.84. s.2.—117. pl.3. See JUDGES.
 act relating to, repealed, *id.* *ibid.*
 pension of Master of the Rolls, *id.* s.4.—117. pl.5.

Vice Chancellor,

salary of, 6 G.4. c.84. s.2.—117, 118. pl.3. See JUDGES.
 acts relating to, repealed, *id.* *ibid.*
 pension of, *id.* s.4.—118. pl.5.

Infants, idiots, lunatics, or trustees of unsound mind, out of the jurisdiction of the court, or not known to be living or dead,

Lands, tenements, or hereditaments, or other property, or any estate or interest therein,
 whereof infants are seised upon trust, or by way of mortgage,
 conveyance of, allowed under direction of what courts, 6 G.4. c.74. s.2.—54. pl.7.
 if in *Wales*, *id.* *ibid.*
 if in the Counties Palatine, *id.* *ibid.*
 if in the Duchy of Lancaster, *id.* *ibid.*
 by what instruments made; valid, *id.* *ibid.* [by way of mortgage,
 whereof idiots, &c. or persons of unsound mind are seised upon trust, or
 conveyance of by committee allowed, *id.* s.3.—55. pl.8.
 to be made by direction of what court and officer, *id.* *ibid.*
 to be made in name of idiot, &c. *id.* *ibid.*
 by what instrument made; valid, *id.* *ibid.*
 where idiot, &c. not found such by inquisition, chancellor to ap-
 point a person to make, *id.* s.4.—55. pl.9.
 whereof persons out of the jurisdiction of, or not amenable to the court
 of chancery or exchequer, or not known to be living or dead, are
 seized upon trust or by way of mortgage,
 conveyance of, by whom, and in whose name made, *id.* s.5.—55. pl.10.
 power of courts of chancery and exchequer to direct, *id.* *ibid.*
 by what instrument made; valid, *id.* *ibid.*

Stocks, funds, annuities, or securities transferrable at the bank of *Eng.*

South Sea Co. or *E. I. Co.* or other company,
 vested in trustees or the personal representative of trustees,
 being idiot, &c. either alone or jointly,
 transfer of, how made, *id.* s.6.—55. pl.11.
 power of chancellor to direct, *id.* *ibid.*
 interest and dividends of, to whom paid, *id.* *ibid.*
 being out of the jurisdiction of the court of chancery or exchequer, or
 not known to be living or dead,
 transfer how and when made, *id.* s.7.—55. pl.12.
 power of the said courts herein, *id.* *ibid.*
 interest and dividends of, to whom paid, *id.* *ibid.*
 ed in infants beneficially entitled thereto,
 interest and dividends of, [guardians, *id.* s.12.—56. pl.17.
 power of courts of chancery or exchequer to direct payment of, to
 to be applied towards education, &c. of infant, *id.* *ibid.*
 or for his use and benefit, *id.* *ibid.*
 order for payment of, to name guardian, *id.* *ibid.*
 receipt of guardian for, valid against infant, when, *id.* *ibid.*
 on whose petition chancellor to interfere, *id.* *ibid.*
 vested in lunatics beneficially entitled thereto, or in his committee, in
 trust for, or as part of his property,
 power of chancellors herein,
 where committee dies intestate, *id.* s.13.—56. pl.18.
 resides out of jurisdiction of court, *id.* *ibid.*
 becomes himself a lunatic, *id.* *ibid.*
 is not known to be living or dead, *id.* *ibid.*
 on whose petition chancellor to interfere, *id.* *ibid.*

COURTS— *Stocks, funds, &c.— continued.*

vested in persons residing out of *Eng.*
 declared lunatic, &c. abroad, and a curator of his property appointed,
 power of chancellor herein, 6 G.4. c.74. s.14.—56. pl.19.
 on whose petition chancellor to interfere, *id.* *ibid.*
 orders made under this act for the transfer of,
 at bank of *Eng.*
 to name what officers to make the transfer, *id.* s.18.—56. pl.20.
 exception in case of trustees, when, *id.* *ibid.*
 Bank, *South Sea Co.*, *East India Co.*, and other companies, indemnified
 for what they do herein, *id.* s.16.—56. pl.21.
 acts of, herein, not to be questioned in any court, *id.* *ibid.*
 Particular cases to which this act extends, where land or stock is conveyed
 or transferred, [pl.15.
 where trustee has some interest therein vested in him, *id.* s.10.—55.
 where trustee has duties to perform prior to vesting same in new trustee,
id. *ibid.*
 when in case of charities, *id.* s.11.—55. pl.16.
 friendly societies, *id.* *ibid.*
 Costs attending petitions, conveyances, transfers, &c. under this act,
 paid out of land or stock conveyed or transferred, *id.* s.17.—56. pl.22.
 Orders or appointments made in pursuance of this act,
 how signified on petition, *id.* s.8.—55. pl.13.
 on whose petition made,
 where transfer, &c. is for party beneficially interested, *id.* *ibid.*
 is to new trustees, *id.* *ibid.*
 is of an estate in mortgage, *id.* *ibid.*

Orders for conveyances, transfers, &c. under this act,
 how enforced against parties directed to convey, &c., *id.* s.9.—55. pl.14.

COURTS (COMMON PLEAS). (pages 56—58.) See FEES.

Offices in :

Custos brevium of,
 power given to treasury to purchase, 6 G.4. c.89. s.1, 2.—59. pl.30, 31.
 Chief and third prothonotaries, clerks of the king's silver, of the jurata, of
 the essoigns, of the warrants, &c., exigenter, of the supersedeas, and
 of the errors in the exchequer chamber, and filacers of all the counties,
 to be disposed of according to this act, 6 G.4. c.83. s.1.—56. pl.2.
 deemed public accountants, *id.* *ibid.*
 how to account for profit of their offices, *id.* *ibid.*
 appointments to,
 made conformable to act, *id.* *ibid.*
 made by chief justice, how, and without fee, *id.* s.2.—57. pl.3.
 to be made during good behaviour, *id.* *ibid.*
 exception, *id.* *ibid.*
 held only whilst executed in person, *id.* ss.1, 2.—56, 57. pl.2, 3.
 deputy to,
 in cases of occasional absence, *id.* *ibid.*
 to be appointed according to this act, *id.* s.1.—56. pl.2.
 in cases of permanent absence, *id.* s.4.—57. pl.5.
 of absence for a time, *id.* *ibid.*
 who to appoint, *id.* *ibid.* [s.7.—57. pl.8.
 to make payment to principal before he accounts, under this act, *id.*
 to exhibit his principal's receipt for same, when, *id.* *ibid.*
 principal not answerable for money received by, *id.* *ibid.*
 misbehaviour of, or complaints against,
 heard, &c. in a summary way by court, *id.* s.3.—57. pl.4.
 court by rule may order them to make compensation, *id.* *ibid.*
 how punished, *id.* *ibid.*
 salaries to,
 by whom, and how fixed, *id.* s.5.—57. pl.6.
 to be paid out of the fees, &c. of the offices, *id.* *ibid.*
 may be altered and varied, *id.* *ibid.*
 fees and emoluments of, (See FEES.)
 to be received by the officer or his deputy, *id.* s.5.—57. pl.6.
 what sums may be retained out of, and for what, *id.* *ibid.*
 accounts of, how kept, *id.* *ibid.*, *id.* s.6.—57. pl.7.
 inspected by treasury and chief justice, *id.* *ibid.*
 to be rendered termly, and how verified, *id.* *ibid.*
 items in, disallowed by treasury, when, *id.* *ibid.*
 copies of, laid before parliament, *id.* *ibid.*
 where a deputy is appointed, *id.* s.7.—57. pl.8.
 balance of, paid into exchequer, what, *id.* s.6.—57. pl.7.
 so also all disallowed charges, when, *id.* *ibid.*
 carried to consolidated fund, *id.* *ibid.*
 lands, &c. of such offices, [ibid.
 not liable to make good sums to be accounted for under this act, *id.*
 Chief and third prothonotary,
 united, 6 G.4. c.83. s.12.—58. pl.13.
 duties of, how performed, *id.* *ibid.*
 salary of, *id.* *ibid.*
 fees of, how accounted for, *id.* *ibid.*
 Secondary of chief and third prothonotary,
 to be appointed by whom, *id.* s.13.—58. pl.14.
 to hold office during good behaviour, *id.* *ibid.*
 fees of, how accounted for, *id.* *ibid.*
 salary of, *id.* *ibid.*
 two secondaries united in one person, *id.* s.14.—58. pl.15.

COURTS — *Common Pleas — Offices — continued.*

Filacers of all the counties in *Eng.*, [58. pl. 16.
provisions for uniting the duties of, in one person, 6 G.4. c.83. s.15.—
Second prothonotary,
fees payable on appointment of, paid into exchequer, *id.* s.18.—58. pl.19.
Resignation or death of existing officers of chief or third prothonotary, or
their secondaries, or secondaries appointed by such prothonotaries,
proviso for, *id.* s.16.—58. pl.17.
liability of persons so appointed to account for fees, *id.* s.17.—58. pl.18.

Lord Chief Justice :

salary of, what annually, 6 G.4. c.83. s.8.—57. pl.10. See JUDGES.
from what time to commence, *id.* *ibid.*
to be charged on consolidated fund, *id.* *ibid.*
to be in lieu of what fees, perquisites, &c. *id.* *ibid.*
to be clear of what taxes, charges, &c., *id.* *ibid.*
payable quarterly, *id.* *ibid.*

retiring pension under 39 G.3. c.110., and 53 G.3. c.153.
augmented, how much, *id.* s.9.—57. pl.10.
when to commence, *id.* *ibid.*
charged on consolidated fund, and tax free, *id.* *ibid.*
provisions of recited act extended to, *id.* *ibid.*

fees or portions of fees payable to,
to be paid into H. M.'s exchequer, *id.* s.10.—57, 58. pl.11.
proviso for homage fees, *id.* *ibid.*
homage fees paid into exchequer, *id.* s.11.—58. pl.12.

Puisne judges :

salary and pension of, 6 G.4. c.86. ss.2, 3.—118. pl.3, 4. See JUDGES.

COURTS (EXCHEQUER). (*page 58.*) See FEES.

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duty on, what, *id. ibid.*

to whom paid, *id. s.3.* — 79. pl.4.

money arising by, paid into exchequer, *id. s.5.* — 79. pl.6.

carried to consolidated fund, *id. ibid.*

renewal of, when necessary, *id. s.4.* — 79. pl.5.

how soon after expiration of old one, *id. ibid.*

one enough for one shop, though kept by persons in partnership, *id. ibid.*

only to authorize such sale, &c. at what places, *id. ibid.*

dealing in, or manufacturing same without a licence,

penalty, *id. ibid.*

so for doing the like before licence renewed, *id. ibid.*

entry with the excise,

of what places, and when required, *id. s.6.* — 79. pl.7.

of what utensils, *id. ibid.*

at what excise office, and how made, *id. ibid.*

penalty and forfeiture, *id. ibid.*

packages of such scorched, &c. corn, &c.

to contain the corn unground, *id. ibid.*

how marked outside, *id. ibid.*

penalty and forfeiture, *id. ibid.*

not to be sold under any other name, or penalty, *id. ibid.*

not to be mixed with any other ingredients, or penalty, *id. ibid.*

unlicensed persons dealing in or packing same, penalty, *id. ibid.*

Cocoa paste, broma, and other mixtures of cocoa,

who may manufacture and sell, *id. s.7.* — 79, 80. pl.8.

must not be a seller of scorched corn, &c. *id. ibid.*

with what ingredients it may be mixed, *id. ibid.*

such ingredients not to be disguised, *id. ibid.*

packages of, how sealed and stamped, *id. ibid.*

stamp for, by whom furnished, *id. ibid.*

duty on such stamps, *id. ibid.*

entry of premises with excise, *id. ibid.*

penalty for making same without such entry, *id. ibid.*

for mixing same with what ingredients, *id. ibid.*

for selling same in way not hereby allowed, *id. ibid.*

in packages of less or greater weight than what, *id. ibid.*

for using stamp a second time, or imitating same, *id. ibid.*

for obstructing officer, *id. ibid.*

EXCISE — continued.

Fines and penalties imposed by this act,
how sued for, mitigated, and applied, 3 G.4. c.53. s.8.—80. pl.9.
Excise laws extended to this act, *id.* s.9.—80. pl.10.

Beer and ale :

Licences, by excise. (See BEER AND ALE; ALEHOUSES.)

duties on, repealed, 5 G.4. c.54. s.1.—2. pl.25.
to common brewers, *id. ibid.* [premises, *id. ibid.*
to retailers of beer, ale, cyder, or perry, to be drank on their own
to sellers of beer, under 4 G.4. c.51., *id. ibid.* See BEER AND ALE.
to retailers of spirits, or strong waters, in G. B., *id. ibid.*
to retailers of foreign wines, having a beer but not a spirit licence, *id. ibid.*
to brewers of beer for sale in G. B.
to be taken out annually, when, *id.* s.2.—27. pl.26.
duties on, what and how proportioned, *id. ibid.*, *id.* s.3.—27. pl.27.
where party for the first time takes out licence, *id. ibid.*
and who retail same from their premises to be consumed elsewhere,
to be taken out annually, *id.* s.2.—27. pl.26.
duty on, *id. ibid.*
to common alehouse-keepers, licensed by justices,
to sell beer, cyder, or perry, by retail, to be consumed on their premises,
to be taken out annually, *id. ibid.*
duty on, what, and how proportioned, *id. ibid.*
to sellers of strong beer only, brewed by others, in five-gallon casks, or by
two dozen bottles, and not to be drank on the premises,
to be taken out annually, duty, *id. ibid.*
to retailers of spirits in G. B.
to be taken out annually, when; exception, *id. ibid.*
duty on, what, and how proportioned, *id. ibid.*
to retailers of plain *aqua vita* only,
in any part of Scot., except the Highlands, and made from malt, &c.
to be taken out annually, *id. ibid.*
duty on, amount of, *id. ibid.*
in the counties and districts of the Highlands,
to be taken out annually, duty, *id. ibid.*
to retailers of foreign wines in G. B. who have a beer licence, &c.
to be taken out annually, *id. ibid.*
duty on,
where party has not a spirit licence also, *id. ibid.*
where party has a spirit licence also, *id. ibid.*
monies arising by such duties,
under whose management, *id.* s.4.—27. pl.28.
how raised, levied, collected, recovered, mitigated, &c. *id. ibid.*
what rules, &c. in force against the goods, licences, and persons mentioned
with regard to, *id.* s.4.—27. pl.28.
what acts in force as to, *id. ibid.*
what fines, penalties, &c. in force, *id. ibid.*
paid into exchequer, and carried to consolidated fund, *id.* s.5.—27. pl.29.
when to expire and be renewed, *id.* s.13.—23. pl.37.
when to expire and be renewed for alehouses, *id.* s.14.—28. pl.38.

EXECUTION.

Levied after an act of bankruptcy committed, 6 G.4. c.16. ss.81. 108.
—19. 21. pl.103. 130.

Not stayed by writ of error, when, 6 G.4. c.96. s.1.—77. pl.1. See ERROR.

EXTENT.

In case of bankruptcy, 6 G.4. c.16. s.71.—18. pl.93.—21. pl.130.

EXTORTING MONEY.

By threats, &c. See 4 G.4. c.54. ss.3. 5., 6 G.4. c.19.—175, 176. See
THREATENING LETTERS; OFFENCE, &c.

F.**FACTOR & MERCHANT. (pages 80, 81.)**

Property entrusted to factors or agents :

Where for the purpose of consignment or sale,
true owner, [pl.3.
party so entrusted deemed, 4 G.4. c.83. s.1., 6 G.4. c.94. s.1.—80.
party shipping same in his own name, *id. ibid.*
party in whose name same shipped by others, *id. ibid.*
lien on such goods against such parties,
who entitled to, *id. ibid.*
in respect of what advances given, *id. ibid.*
proviso for want of notice of actual owner by bill of lading or
otherwise, before advance, &c. *id. ibid.*
when such parties deemed so entrusted, *id. ibid.*
Purchase of goods entrusted to agents,
contracts for, valid, *id.* s.4.—80, 81. pl.6.
purchaser may receive goods of, and pay for them to such agent, *id. ibid.*
principal bound by agent's contract, *id. ibid.*
so though purchaser knew he was dealing with an agent, *id. ibid.*
proviso for contract to be made in ordinary course of business, *id. ibid.*
proviso for no knowledge that agent's authority had been revoked,
id. ibid.

FACTOR AND MERCHANT — Property entrusted to — continued.

Bills of lading, India, and dock warrants, warehousekeepers and wharfingers'
certificates, orders for delivery of goods,
true owner of goods named therein,
party in possession of such documents, 6 G.4. c.94. s.2.—80. pl.4.
sale or pledge of, as a security for money,
contracts for, valid, *id. ibid.*
proviso for want of notice of actual owner, *id. ibid.*
proviso for pledges as a security for a precedent debt, *id.* s.3.—80. pl.5.
Deposit or pledge of goods or bills of lading, &c. by a factor, as a security
for a precedent debt,
pledgee invested with what rights only, 6 G.4. c.94. s.3.—80. pl.5.
any person may take same, *id.* s.5.—81. pl.8.
so though he knew that pledgee was only factor, &c. *id. ibid.*
what rights acquired by, *id. ibid.*
so may be taken from an assignee thereof, 4 G.4. c.83. s.2.—81. pl.7.
what rights acquired in such case, *id. ibid.*
a misdemeanor, when, 6 G.4. c.94. s.7.—81. pl.11. [pl.12:
how punished, *id. ibid.*
not so when only for amount due from principal to factor, *id.* s.8.—81.
acceptance of bills not deemed a debt, when, *id. ibid.*
partners of factor not involved unless when, *id.* s.9.—81. pl.13.
saving for factor's liability at law and in equity, *id.* s.10.—81. pl.14.
conviction of, no evidence, *id. ibid.* [at law or equity, *id. ibid.*
no prosecution allowed, where discovery made by compulsory process.
True and actual owner of,
may recover same or the value,
against factor previous to sale or pledge, 6 G.4. c.94. s.6., 4 G.4.
c.83. s.3.—81. pl.9, 10.
against his assignee in case of bankruptcy, *id. ibid.*
against a purchaser, subject to what set off, *id. ibid.*
against pledgee on repayment, *id. ibid.*
against persons holding a balance, the produce of sale of such goods,
id. ibid.
recovering his goods against pledgees, &c. extinguishes factor's debt, in
case of bankruptcy, *id. ibid.*

FAIRS.

Held within 10 miles of Temple Bar; police; abolishing, 3 G.4. c.55.
s.17.—195. pl.19.

The 16 R.2. c.3. repealed, 5 G.4. c.74. s.23.—339. pl.26.

16 C.1. c.19. repealed, *id. ibid.*

FALSE PERSONATING.

Assuming the name or character of another, or his executor, administrator,
wife, relation, or creditor,
to receive his wages or pay, how punished, 5 G.4. c.107. s.5.—34. pl.17.
his pension or prize money, *id. ibid.*
any other allowance for services in the army or navy, *id. ibid.*

FEEs. (pages 81, 82.)

*In the courts of chancery, K. B., C. P., Exchequer, and Ex-
chequer Chamber. See COURTS; JUDGES.*

Duty of the judges of such courts in regard to, 3 G.4. c.69. s.1.—82.
pl.2.

of the chancellor, vice-chancellor, and master of the rolls, *id. ibid.*

Tables of fees to be taken by the officers of such courts,

by whom made and ordained, *id. ibid.*

who bound by, *id. ibid.*

where to be enrolled, *id. ibid.*

to be deemed the only lawful fees of what officers, *id.* s.2.—82. pl.3.

notice of, how, and when given, *id. ibid.*

amendment of, in case of performance of duties not specified in, *id. ibid.*

extracts of, where to be hung up, *id.* s.5.—82. pl.6.

regulations respecting duties of such officers,

may be established by whom, *id.* s.3.—82. pl.4.

may be enrolled with such tables, *id. ibid.*

when enrolled in full force, and bind whom, *id. ibid.*

solicitors and attorneys,

not bound by such tables, how far, *id.* s.4.—82. pl.5.

compensation to officers injured by such tables,

report recommending, to be made to H. M., when, *id.* s.6.—82. pl.7.

Payable to judges, see JUDGES.

FELO DE SE. (page 82.)

Interment of persons found *felo de se*,

coroner not to direct it to be in highway, 4 G.4. c.52. s.1.—82. pl.2.

to direct it to be done privately, where, *id. ibid.*

when, and at what hours to take place, *id. ibid.*

no stake to be driven through the body, *id. ibid.*

rites of Christian burial not authorized, *id.* s.2.—82. pl.3.

previous law for, how far altered hereby, *id. ibid.*

FELONS AND FELONY.

The 22 H.8. c.14. s.6., repealed 6 G.4. c.50. s.62.—126. pl.63.

1 Ed.6. c.12. s.4. pl.35., and 1 M. st.1. c.1. s.5. pl.35., repealing

28 H.8. c.1. repealed, and 28 H.8. c.1. revived, 6 G.4. c.25. s.3.

—31. pl.3. See BENEFIT OF CLERGY.

The 2 G.2. c.25. s.3. (pl.74, 75.) AMD. 3 G.4. c.24.—173. pl.2.

53 G.3. c.162. (pl.93, 94.) AMD. 3 G.4. c.114.—173. pl.6.

FINES AND AMERCIAMENTS. (pages 82—85.)

Levying, estreating, and paying;

Fines, issues, amerciaments, forfeited recognizances, or sums of money paid in lieu thereof, imposed before justices of peace in *Eng.* acts relating to, how far repealed, 3 G. 4. c. 46. s. 1.—82. pl. 2. imposed out of sessions, to be certified to clerk of peace by whom, *id.* s. 2.—82. pl. 3. to town clerk, when, *id.* *ibid.* certificate, what to state, and how signed, *id.* *ibid.* when to be delivered, *id.* *ibid.*

levying of,

roll of such fines, and execution process, to be made out, and sent to sheriff, by whom, *id.* s. 2.—83. pl. 3. form of, *id.* *ibid.* Schedule A, page 84. sheriff to act under, *id.* *ibid.* to state all fines, &c. paid or accounted for, *id.* s. 3.—83. pl. 5. fees on, to what officers, *id.* s. 10.—84. pl. 11. may be on the goods or person, *id.* s. 2.—83. pl. 3. if on the person, party how dealt with, *id.* *ibid.* where not levied, recovered, accounted for, or discharged under a former roll and writ, insertion of, in following roll, sessions to do so, 4 G. 4. c. 37. s. 1.—83. pl. 4. exception, where discharged on appeal, *id.* *ibid.* where remitted by sign manual, *id.* *ibid.* where remitted by treasury warrant, *id.* *ibid.* how long to continue same on such rolls, *id.* *ibid.* power of treasury herein, *id.* *ibid.* sheriff, &c. to detain roll and execution process, *id.* *ibid.* to deliver a copy of roll to whom, and when, *id.* *ibid.* also copies of former rolls of all fines, &c. not paid, *id.* *ibid.* may act under original writ and roll without further, *id.* *ibid.* to deliver over such rolls, &c. to his successor, *id.* *ibid.* to particularize all fines, &c. paid, *id.* *ibid.* officer entrusted with execution of the process, examination of, by whom, and when to take place, *id.* *ibid.* object of, *id.* *ibid.* to be recorded by town clerk, *id.* *ibid.* neglecting his duty herein, penalty, and how recovered and applied, *id.* s. 10.—84. pl. 11. where the party incurring them removes out of the jurisdiction of the sheriff, &c. in which they were incurred, [83, 84. pl. 9. the 3 G. 4. c. 46. ss. 7, 8. relating to, repealed 4 G. 4. c. 37. s. 2.—sheriff to issue his warrant, with a copy of the writ directed to sheriff, &c. of county where party is, *id.* s. 3.—84. pl. 18. to what other sheriff he may direct his warrant, *id.* *ibid.* power of such other sheriff under such warrant, *id.* *ibid.* to make return to first sheriff, *id.* *ibid.* to pay over money levied to original sheriff, *id.* *ibid.*

Recognizances entered into by any person and his sureties,

justices to give a printed notice, 3 G. 4. c. 46. s. 4.—83. pl. 6. form of such notice, *id.* *ibid.* Schedule B, page 85. to state profession, trade, &c. of the party bound, *id.* *ibid.* also his christian and surname, *id.* *ibid.* also the parish, or place of his residence, *id.* *ibid.* also the name of street, and number, and whether owner, tenant, or lodger, if in a city or town, *id.* *ibid.* forfeited, and security to appear at sessions given, execution stayed, *id.* s. 5.—83. pl. 7. party failing to appear, *distringas*, &c. issued against his sureties, *id.* *ib.* discharge of, by sessions, on bringing up of party, or on his appearance, power of session so to do, *id.* s. 6.—83. pl. 8. order for, form of, *id.* *ibid.* Schedule C, page 85. how signed, *id.* *ibid.* discharges sheriff, &c. at exchequer, *id.* *ibid.* where party in custody in common gaol, sessions may remand or release him, *id.* *ibid.* order for discharge acquittance to sheriff at exchequer, *id.* *ibid.* costs by, or to either party, sessions may award, *id.* *ibid.* fees on such discharge, *id.* s. 10.—84. pl. 11.

Clerk of the peace, and town clerk,

to copy such fines, on such roll, 3 G. 4. c. 46. s. 2.—82. pl. 3. to copy also those imposed at sessions, *id.* *ibid.* to send roll to sheriff or bailiff, &c., *id.* *ibid.* oath of, before such roll delivered, *id.* *ibid.* before whom taken, *id.* *ibid.* indorsed on the roll or writ, *id.* *ibid.* form of, *id.* *ibid.* fees of, herein, *id.* s. 10.—84. pl. 11. neglecting his duty herein, penalty, and how recovered and applied, *id.* *ibid.* duplicate on certificate of all such fines, &c. contained in any roll sent out to sheriff for levying, to be made by them, *id.* s. 14.—84. pl. 15. to be delivered to the court of exchequer, when, *id.* *ibid.* what to contain, *id.* *ibid.* object thereof as to sheriff, &c., owner of the fines, &c., *id.* *ibid.*

FINES AND AMERCIAMENTS — *continued.*

Copy or extract of the rolls delivered by sheriff on the opening of court of quarter sessions, [pl. 20. clerk of peace, &c. to send same to treasury, 4 G. 4. c. 37. s. 5.—84. when same to be forwarded, *id.* *ibid.* form of, *id.* *ibid.* to state causes of discharge in case of relief on appeal, *id.* *ibid.* also sheriff's answer, where fine, &c. not paid, *id.* *ibid.* Sheriff, bailiff, &c. neglecting his duty herein, penalty, 3 G. 4. c. 46. s. 10.—84. pl. 11. penalty, how recovered and applied, *id.* *ibid.* account in writing of all persons incurring fines, &c. and which he has been required to levy, sheriff to make up annually, 4 G. 4. c. 37. s. 4.—84. pl. 19. what to state, *id.* *ibid.* to set forth fines, &c. not paid, and reason why, *id.* *ibid.* to be transmitted to treasury, when, *id.* *ibid.* to be examined and approved by treasury, *id.* *ibid.* when so examined, sent to the exchequer, *id.* *ibid.* In *Wales*, 5 G. 4. c. 106. ss. 25, 26.—334, 335. pl. 26, 27. See *WALES*.

Miscellaneous:

stamps on proceeding under this act, none, 3 G. 4. c. 46. s. 9.—84. pl. 10. appropriation of fines, &c. *id.* s. 11.—84. pl. 12. officers of the court of the duchy of *Lancaster*, compensation to, *id.* s. 12.—84. pl. 13. saving for the rights, &c. of the king, as duke of *Lancaster*, *id.* s. 13.—84. pl. 14. of corporate bodies, *id.* s. 15.—84. pl. 16. of lords or ladies of manors, *id.* *ibid.* of the city of *London*, *id.* s. 16.—84. pl. 17.

FISH.

Stealing fish out of any river or pond, breaking down head or mound of fish-pond, by persons disguised, &c., within black act, how punished, 4 G. 4. c. 54. s. 1.—175. pl. 17. Packing of barrelled fish, 22 Ed. 4. c. 2. repealed, 5 G. 4. c. 74. s. 23.—85. The 22 Ed. 4. c. 2. repealed, 5 G. 4. c. 74. s. 23.—339. pl. 26.

FISHERIES (BRITISH). (pages 85, 86.)

Bounties:

Made to cease after 5th July 1825, what, in case of herrings, 5 G. 4. c. 64. s. 1.—85. pl. 2. what, in case of the *British* fisheries, *id.* *ibid.* Given until 5th July 1829, what, in case of herrings, *id.* s. 2.—85. pl. 3. in case of *Isle of Man* herring fishery, *id.* *ibid.* in case of the *Irish* fisheries, *id.* *ibid.* in case of persons curing cod, ling, or hake taken on the *British* coasts, *id.* *ibid.* in case of cod, ling, or hake in pickle, *id.* *ibid.* in case of *Irish* fisheries of cod, &c. *id.* *ibid.* to the owners or charterers of decked or half-decked vessels, fitted out in the U. K. for the cod, &c. fishery, *id.* s. 3.—85. pl. 4. former regulations for the payment of, in force, *id.* s. 4.—85. pl. 5. payable in *British* currency, *id.* s. 5.—85. pl. 6. On salmon, full red herrings, clean shotten red herrings, and red sprats, and on pilchards and scads, made to cease, *id.* s. 6.—85. 86. pl. 7. new bounties given until 5th July 1829, *id.* s. 7.—86. pl. 8. Custom duties on exportation of fish, taken away, when, *id.* s. 8.—86. pl. 9.

Statutes relating to in Digest repealed,

The 35 G. 3. c. 92. s. 20. pl. 333. by 4 G. 4. c. 80. s. 1.—73, 74. pl. 129. 35 G. 3. c. 92. pl. 304. *id.* s. 12.—75. pl. 130. 38 G. 3. c. 57. ss. 5, 6. pl. 327. 328., *id.* *ibid.* 42 G. 3. c. 18. pl. 329. *id.* *ibid.* 43 G. 3. c. 90. pl. 330. *id.* *ibid.* 51 G. 3. c. 34. pl. 331. *id.* *ibid.*

FISHERY (HERRING).

The sums given under 48 G. 3. c. 110. and 59 G. 3. c. 109., for the encouragement of, commissioners of the fishery, to employ them in repairing and building quays, &c., 5 G. 4. c. 64. s. 9.—86. pl. 10. in repairing poor fishermen's boats, when, *id.* *ibid.* not to grant sums to any person for repairing quays, &c. unless when, *id.* *ibid.* in *Scotland*, under what rules, &c. sums allowed, *id.* s. 10.—86. pl. 11. lists of persons to whom, and objects for which sums granted, certified to treasury, *id.* *ibid.* treasury to direct such sums to be paid by excise, *id.* *ibid.* accounts of such expenditure laid before parliament, *id.* *ibid.* in *Ireland*, by whom such sums paid and applied, *id.* *ibid.* report of application of such sums, by whom made, *id.* *ibid.* laid before parliament, when, *id.* *ibid.* Bounties on, made to cease, 5 G. 4. c. 64. s. 1.—85. pl. 2.

FISHERY (NEWFOUNDLAND). (pages 86—88.) See NEWFOUNDLAND.

General regulations of, for five years from 3d June 1824.

Acts establishing, how far repealed, 5 G.4. c.51. s.1. — 86. pl.13.

Fishery at Newfoundland and islands adjacent, aliens and strangers,

prohibited from using, *id.* s.2. — 86. pl.14.
exception, *id.* *ibid.*

H. M.'s subjects in the U. K. and the colonies, made free of, *id.* s.3. — 86. pl.15.

may take, dry, and cure fish, where, *id.* *ibid.*

may go on shore to cure &c. fish, where, *id.* *ibid.*

may cut down trees, for what purposes, *id.* *ibid.*

fishing-ships' rooms, (See 51 G.3. c.45. s.1.)

governor may sell, lease, or dispose of, *id.* s.14. — 88. pl.26.

so sold, &c. how held, *id.* *ibid.*

rights of private persons saved, *id.* *ibid.*

vessels clearing out for the fishery,

what only to have on board, 5 G.4. c.51. s.4. — 87. pl.16.

master entitled to what certificate, *id.* *ibid.*

certificate, by whom granted, *id.* *ibid.*

fee for, and what to state, *id.* *ibid.*

how long in force, *id.* *ibid.*

forfeited, when, and consequence of forfeiture, *id.* *ibid.*

vessels arriving at Newfoundland with a fishing certificate,

master to report same, to whom, *id.* *ibid.*

customs' officer to enter report in a book, *id.* *ibid.*

fee to, therefore, *id.* *ibid.*

Clearances,

vessels exempted from taking, at any Newfoundland custom-house,

those having a fishing certificate, *id.* *ibid.*

those actually engaged in the fishery, *id.* *ibid.*

those carrying coastwise to be landed or shipped, any fish, oil, salt, provisions, &c. *id.* *ibid.*

how long to have benefit of exemption, *id.* *ibid.*

vessels finally quitting the fishery must have, when, *id.* *ibid.*

from what port to obtain them, *id.* *ibid.*

[*id.* *ibid.*

vessels having a fishing certificate, if they have on board what goods,

Seamen or fishermen employed in the fishery,

contracts for hire of, must be in writing, when, *id.* s.7. — 87. pl.19.

what to provide for, *id.* *ibid.*

signed, *id.* *ibid.*

advance of money or goods to, during service,

how far restrained, *id.* s.8. — 87. pl.20.

discharge of, forbidden before time of service expired, *id.* *ibid.*

exception, *id.* *ibid.*

employers of, not complying herewith, penalty, *id.* *ibid.*

penalty against, how recovered and applied, *id.* *ibid.*

limitation of prosecution for, *id.* *ibid.*

[ing to work,

absenting themselves without leave or consent, or refusing or neglect-

how many days' pay to forfeit, *id.* s.11. — 87. pl.23.

deserting,

being absent without leave, when deemed, *id.* *ibid.*

penalty in case of, *id.* *ibid.*

justice may issue warrant for apprehension of, *id.* *ibid.*

may commit him to prison, *id.* *ibid.*

sessions, power of, in case of, *id.* *ibid.*

how deserter to be sent home, *id.* *ibid.*

wages of, when to be paid, *id.* s.8. — 87. pl.20.

disputes concerning,

the hirer to produce contract, *id.* s.9. — 87. pl.19.

to give a copy of it to seamen, *id.* *ibid.*

to be stated in contract for hire, *id.* s.7. — 87. pl.21.

lien for, on the fish and oil, *id.* s.10. — 87. pl.22.

Bait,

customary places for taking,

anchors not to be cast in, *id.* s.6. — 87. pl.18.

so nothing that may prevent the hauling of nets, *id.* *ibid.*

nets not to be shot upon the nets of another, *id.* *ibid.*

not to be stolen out of the nets laying adrift or drover at night, *id.* *ibid.*

persons furnishing, have a lien for price on the fish and oil taken, *id.*

s.10. — 87. pl.22.

Miscellaneous:

Harbours at Newfoundland and its dependencies,

ballast, &c. not to be thrown into, *id.* s.5. — 87. pl.17.

where deposited, *id.* *ibid.*

penalty, *id.* *ibid.*

wantonly damaging or impairing, penalty, *id.* *ibid.*

Treaties between H. M. and any foreign state, [s.12. — 87. pl.24.

power of H. M. to direct governor to fulfil stipulations of, 5 G.4. c.51.

governor may direct H. M.'s subjects,

to remove what stages, flakes, &c. *id.* *ibid.*

what ships, vessels, boats, &c. *id.* *ibid.*

may compel H. M.'s subjects to depart, *id.* *ibid.*

persons refusing to obey, penalty, *id.* s.13. — 87, 88. pl.25.

penalty how recovered; limitation, *id.* *ibid.*

FISHERY (NEWFOUNDLAND) — continued.

Waste or unoccupied lands within such colonies,

H. M. may grant them out, *id.* s.15. — 88. pl.27.

so notwithstanding anything in any former charter, *id.* *ibid.*

Penalties under this act,

how sued for and applied, *id.* s.16. — 88. pl.28.

FISHERY (SOUTHERN WHALE). (page 88.)

Acts relating to, repealed 4 G.4. c.80. s.12. — 88. pl.29—32., also 15 G.3. c.31. by 5 G.4. c.51. s.1. — 86. pl.13. See EAST INDIA COMPANY;

FISHERY (NEWFOUNDLAND).

FIXTURES.

Rioters destroying, taking away, or damaging. See 3 G.4. c.33. s.1. tit.

MALICIOUS MISCHIEF.

FLOATING LIGHTS. SEE PILOTAGE.

FOREST.

The 34 Ed.1. st.5. c.3. repealed 6 G.4. c.50. s.62. — 126. pl.63.

FRAME BREAKING,

Burning, breaking, cutting, destroying, or damaging any loom, frame, machine, engine, rack, tool, tackle, utensil, &c. or aiding, &c.

felony, with transportation for life or not less than seven years, or imprisonment with or without hard labour for not exceeding seven years, 4 G.4. c.46. s.2. — 174. pl.13.

FRAME WORK, &c. (page 88.)

Entering house with intent to cut frame-work, knitted pieces, &c. 28 G.3. c.55. s.4., and note, repealed 4 G.4. c.46. s.2. See OFFENCE. 88. pl.1.

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Accounts of money paid to commissioners for reduction, &c. to be laid before parliament, 5 G.4. c.62. s.32. — 11. pl.27. See further BANKS FOR SAVINGS.

Trustees of, being infants, lunatics, &c. conveyance and transfer of property of, 6 G.4. c.74. s.11. — 56. pl.16. See COURTS (CHANCERY).

FURNITURE.

Rioters destroying, taking away, or damaging. See 3 G.4. c.33. s.1. tit. MALICIOUS MISCHIEF.

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Assize of, 43 El. c.4., 9 A. c.15., 10 A. c.6., repealed 5 G.4. c.74. s.23.

G.

GAMES AND GAMING.

Penalty on alehouse-keepers under 32 G.2. c.44. ss.14, 15., repealed 3 G.4. c.77. s.9. — 3. pl.10. See ALEHOUSE.

GAOLS. (pages 88—107.)

To what prisons and houses of correction, &c. stats. 4 G.4. c.64. and 5 G.4. c.85. extend:

to common gaols and houses, &c. which by 4 G.4. c.64. are to be maintained at expence of counties, ridings, or divisions of counties in Eng. and Wa., 4 G.4. c.64. s.2. — 90. pl.21.

to gaols and houses, &c. so to be maintained in the cities, towns, and places enumerated in Sch. A. *ib.* (See Sch. A. as amended by 5 G.4. c.84. s.9. — 106.)

gaols, hospitals, and penitentiaries to which neither act extends, enumerated, 4 G.4. c.64. s.76. — 102. pl.109., 5 G.4. c.85. s.27. — 103. pl.123. [pl.109.

hulks, and convicts therein, are not within 4 G.4. c.64. — *id.* s.76. — 102.

Providing gaols and houses of correction in counties, ridings, &c., cities, towns, &c.

one common gaol and one house of correction shall be maintained, at expence of every county in Eng. and Wa., except those divided into ridings or divisions, 4 G.4. c.64. s.2. — 90. pl.21.

in what ridings and divisions of counties, *id.* *ibid.*

in what cities, towns, and places, 4 G.4. c.64. Sch. A., 5 G.4. c.86. s.5. — 106.

exception where inhabitants of any district, city, &c. mentioned in

Sch. A. contribute to house of correction of the county, &c.

in which such district, &c. is situate, 4 G.4. c.64. s.8. — 91. pl.29.

any house or houses of correction existing on 10th July 1823, may be retained for reception of particular classes of prisoners, 4 G.4. c.64. s.3. — 90. pl.22. See *infra.*

gaols for any county, &c. city, &c. shall be deemed part of such county, &c. city, &c., though locally situate out of it, *id.* s.48. — 96, 97. pl.74.

and the justices and other county officers shall have power therein, *id.* *ibid.*

liabilities of cities, towns, boroughs, ports, or liberties as to accommodating certain descriptions of prisoners, remain unaltered, 5 G.4. c.85. s.15. — 90. pl.26. [soners, *id.* *ibid.*

so as to contributions towards repair of prisons or maintenance of pri-

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Building and repairing,

the sessions, on report or presentment to them of insufficiency of prisons, shall give notice in newspapers of such report having been made, and of their intention to consider it at the next sessions, 4 G. 4. c. 64. s. 45.—96. pl. 71.

if a majority think the report well founded, they shall take requisite measures for altering, enlarging, or rebuilding, &c. such gaols, *id. ibid.* contractor to give security for performing contract, *id. ibid.*

sessions may buy houses, lands, &c. or easements for enlarging, &c. building, or rebuilding prisons, 4 G. 4. c. 64. s. 46.—96. pl. 72.

such houses, lands, &c. when enclosed and added to prisons shall be deemed parts thereof, and of the county, &c., city, &c., to the use of which they are applied, *id. ibid.*

conveyance thereof regulated, *id. ibid.*

two justices may order necessary repairs when gaol or house, &c. becomes unfit for custody of prisoners between the sessions, 4 G. 4. c. 64. s. 47.—96. pl. 73.

removing prisons to more convenient sites, *id. s. 50.—98. pl. 80.*

contracting for building new gaols or houses, &c. *id. ibid.*

sites of old prisons may be sold, and how conveyed, *id. ibid.*

courts of justice attached to prisons may be altered or pulled down where necessary to improvement of prison, *id. ibid.*

and rebuilt on same or other site, *id. ibid.*

Arrangement in the construction of prisons for classification, &c.:

such plans for prisons shall be adopted as best provide for security, classification, &c. and instruction of prisoners, 4 G. 4. c. 64. s. 49.—97. pl. 75.

officers' apartments, how constructed; distinct wards, cells, &c., *id. ibid.*

no communication between male and female prisoners, *id. ibid.*

classes of prisoners, *e. g.*, debtors, felons, vagrants, &c. for whose separate confinement provision shall be made, enumerated, *id. ibid.*

in gaols, *id. ibid.*

in houses of correction, *id. ibid.*

further explained, 5 G. 4. c. 85. s. 10.—97. pl. 76., and *Canterbury, Lichfield, and Lincoln* gaols exempted,—106.

places of confinement for prisoners, witnesses for crown, 4 G. 4. c. 64. s. 49.—97. pl. 75., and s. 10. Rule VI.—91. pl. 31. [pl. 75.]

further means of classification may be adopted by sessions, *id. s. 49.—97.* baths, airing grounds, privy, water, working rooms, sleeping cells, solitary confinement, chapel, and divisions thereof, chaplain's apartments, *id. ibid.* [s. 10.—97. pl. 76.]

male prisoners shall invariably be separated from female, *ib. 5 G. 4. c. 85.* female prisoners, classifying, *id. ibid.*

Welsh counties, dispensing with wards and airing grounds in, on applying to privy council, *id. s. 11.—97. pl. 77.* [pl. 78.]

prisoners for breach of revenue laws, with whom confined, *id. s. 12.—98.* solitary confinement, in what case obviated, *id. s. 13.—98. pl. 79.*

Expenditure incurred in building, rebuilding, enlarging, improving, repairing, or fitting up gaols or houses of corrections in Eng.

advances of exchequer bills on application by quarter sessions, 4 G. 4. c. 63. —88, 89. pl. 19.

repayment within twenty years by rates, *id. ibid.* [place,

mortgaging rate of county, riding, division, district, city, town, or borrowing money when the estimate for building, &c. exceeds one half of the annual county rate, 4 G. 4. c. 64. s. 54.—98. pl. 84.

the sum required may be borrowed in sums exceeding 100*l.* each, 6 G. 4. c. 40. s. 5.—105. pl. 147.

such mortgages may be transferred without preference of creditors as to priority of advances, 4 G. 4. c. 64. s. 54.—98. pl. 84.

justices may charge such rate, so that the money borrowed be repaid in fourteen years with interest, 4 G. 4. c. 64. s. 55.—98, 99. pl. 85.

accounts of payments, &c., *id. ibid.*

justices may borrow, on like mortgage, sums at lower rate of interest, to pay off principal borrowed under 4 G. 4. c. 64., or 5 G. 4. c. 12., 5 G. 4. c. 85. s. 20.—99. pl. 86.

provisions enabling sessions to pay off outstanding debts secured on the county rate, 6 G. 4. c. 40. ss. 1—4.—105. pl. 143-146.

expences of execution of 4 G. 4. c. 64. to be charged on county rates, 4 G. 4. c. 64. s. 68.—101. pl. 101.

Powers given to sell and convey houses, buildings, lands, tenements, hereditaments, easements, or privileges, 4 G. 4. c. 64. s. 56.—99. pl. 87.

where crown or duchy lands are necessary, treasury, &c. may grant, 4 G. 4. c. 64. s. 57.—99. pl. 88.

where parties interested in houses, &c. refuse to treat, &c., after notice given, the value of premises to be settled by a jury, *id. s. 58.—99. pl. 89.*

such notice may be given to the occupier, 5 G. 4. c. 85. s. 19.—101. pl. 100.

jury, how summoned and sworn, *id. s. 59.—99. pl. 90.*

finer may be imposed for neglect of duty by sheriff, jurors, witnesses, &c. *id. s. 99.—100. pl. 90.*

expences of jury, how defrayed, *id. s. 60.—100. pl. 91.* [pl. 92.]

conveyance to be made on payment of purchase money, *id. s. 61.—100.*

application of compensation,

when exceeding 200*l.*, *id. s. 62.—100. pl. 93.*

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where less than 200*l.*, but not less than 20*l.*, *id. s. 63.—100. pl. 94.*

where less than 20*l.*, *id. s. 64.—100. pl. 95.*

in case of not making out titles, purchase money to be paid into the bank in the name of the accountant-general in chancery, *id. s. 65.—100. pl. 96.*

on any question arising touching the title to the money paid into the bank, the possessor of the houses, &c. at time of sale, shall be taken to be lawfully entitled till the contrary is shown, *id. s. 66.—101. pl. 97.*

chancery may order reasonable expences of purchasers to be paid when vendors are under disability, *id. s. 67.—101. pl. 98.*

commonable lands required for a prison, compensation how paid, 5 G. 4. c. 85. s. 18.—101. pl. 99.

notices that houses, &c. are wanted, shall be given to occupiers, *id. ibid.*

Ascertaining by orders of sessions to what class or classes each prison to be applicable:

sessions shall proceed to carry 4 G. 4. c. 64. into effect, and shall ascertain the classes to be confined in the several prisons, 4 G. 4. c. 64. s. 4.—90. pl. 23.

notice of their orders shall be published, and a copy served on every justice, keeper of gaol, house, &c., *id. ibid.*

only the particular class specified shall be committed to, or detained in any such gaol, house, &c., *id. ibid.*

prisoners not coming within such class, may be removed to the gaol or house of correction of the county, riding, or division, *id. ibid.*

in houses, &c. in any county, riding, division, or city, &c. named in Sch. A, p. 106., being part of the same building, inclosed in same boundary wall, or contiguous to the common gaols, compartments for classification may be made as if the two had been one distinct gaol or house, &c., 4 G. 4. c. 64. s. 5.—90. pl. 24.

sessions to declare which part shall be considered as the gaol, and which as the house of correction, *ib. See s. 6.—90. pl. 27.*

debtors shall be confined in the part appropriated as the gaol, *id. s. 5.—90. pl. 24.*

sessions may declare the parts appropriated for the chapel or infirmaries common to the gaol and house, &c., 5 G. 4. c. 85. s. 14.—90. pl. 25.

liability of cities, towns, &c. not to be altered as to the sort of prisoners to be accommodated, or as to contribution towards expences, *id. s. 15.—90. pl. 26.* [tenance of prisoners, &c., *id. ibid.*

so as to liabilities of other bodies or persons to repairs of prison, main-power to justices to commit to house of correction of county in cases where the person is apprehended in any district, city, &c. mentioned in Sch. A., 4 G. 4. c. 64. s. 8.—91. pl. 29.

need not build house of correction for any such district, &c., *id. ibid.*

Benefactions and gifts how to be applied and examined into:

benefactions given to supply poor prisoners with food and clothing shall be applied by sessions for their benefit in other ways, 4 G. 4. c. 64. s. 35.—95. pl. 57.

examining into gifts, legacies, and bequests for prisoners by chief justices, &c., and justices at sessions, *id. s. 36.—95. pl. 58.*

may be applied to pay allowances to prisoners on discharge, 4 G. 4. c. 64. s. 39.—95. pl. 65.

Rules and regulations to be observed in all prisons within 4 G. 4. c. 64. in Eng. and Wa. and the cities, &c. named in Sch. A. p. 106.

keeper, 4 G. 4. c. 64. s. 10. Rule I.—91. pl. 31. See *infra.*

matron, *id. Rule II., id. ibid.*

visiting the wards, prisoners, cells, &c., *id. Rule III. ibid.*

journal of keeper's punishments, *id. Rule IV. ibid.*

labour of prisoners, *id. Rule V. ibid.*

separation of male and female prisoners, *id. Rule VI. ibid.*

enumeration of prisoners of different classes who shall not intermix with each other, *id. ibid.*

female prisoners, *id. Rule VII. ibid.*

hours of hard labour, *id. Rule VIII. ibid.*

daily prayer, *id. Rule IX. ibid.*

instruction, *id. Rule X. ibid.*

divine service on Sundays, *id. Rule XI. ibid.*

ironing prisoners, *id. Rule XII. ibid.*

food, *id. Rule XIII. ibid.*

debtors or prisoners, before trial, may procure food, bedding, clothing, under what restriction, *id. Rule XIV. 92.*

prisoners confined under sentence or conviction of a justice shall not receive food, clothing, &c. except the gaol allowance, except by leave of justices, *id. Rule XV. ibid.*

admitting prisoner's friends, *id. Rule XVI. ibid.*

surgeon, *id. Rule XVII. ibid.*

evening apparel of prisoner; prison dress, *id. ibid.*

bedding, *id. Rule XVIII. ibid.*

washing, &c. the prison, *id. Rule XIX. ibid.*

air and exercise of prisoners, *id. Rule XX. ibid.*

tap, fermented liquors, *id. Rule XXI. ibid. (See infra.)*

gaming, *id. Rule XXII. ibid.*

garnish, *id. Rule XXIII. ibid.*

death of prisoner, *id. Rule XXIV. ibid.*

no prisoner shall sit on any inquest, 4 G. 4. c. 64. s. 11.

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copies of rules relating to treatment of prisoners to be put up in prison, 4 G. 4. c. 64. s. 12.—92. pl. 33.
 right of sheriff to appoint keeper of county gaol or other his prison, is not affected by the rules, *id. ibid.*
 powers of general or quarter sessions to be exercised in London by the court of mayor and aldermen as heretofore, *id.* s. 13.—92. pl. 34.
 copies of proceedings and regulations of justices, and plans of prisons, to be transmitted to secretary of state, *id.* s. 15.—92. pl. 36.

Further regulations for prisons, [—92. pl. 33.
 how made and sanctioned in London and Middlesex, 4 G. 4. c. 64. s. 12.
 how in the country, *id. ibid.*

Spirituous liquors, carrying into or selling in prisons,
 penalty for carrying spirits into prison, 4 G. 4. c. 64. s. 40.—96. pl. 66.
 gaolers selling, &c. or permitting spirits to be sold, &c. in prisons, *id. ib.*

Officers of prisons, their powers and duties:

Visiting justices:

two or more appointed by sessions, 4 G. 4. c. 64. s. 16.—93. pl. 38.
 their duties, *id. ibid.*
 may recommend offenders for good conduct, *id. ibid.*
 any justice may visit a prison of the county, city, &c. and report abuses to sessions, *id.* s. 17.—93. pl. 39.
 what intercourse they may have with prisoners committed to close confinement, *id.* s. 18.—93. pl. 40.
 shall report state of gaol to quarter sessions, *id.* s. 23.—93. pl. 41.

Sheriff:

prisoners in the gaol, part of a gaol, and house of correction, united or contiguous to each other, shall be deemed in his custody, 4 G. 4. c. 64. s. 6.—90. pl. 27.
 [of it, *id. ibid.*
 but he shall not be answerable for prisoners confined in any other part of office of, how performed in districts, cities, towns, &c. where he has no jurisdiction, *id.* s. 7.—102. pl. 107.

Gaoler or keeper:

shall attend quarter sessions to report on actual state of his prisons, 4 G. 4. c. 64. s. 14.—92. pl. 35. [*id.* s. 19.—93. pl. 41.
 shall make returns at assizes of persons sentenced to hard labour, shall transmit lists of prisoners tried for felony to secretary of state, on 20l. penalty, *id.* s. 20.—93. pl. 42.
 shall deliver certificates to sessions how far the rules have been observed, on 10l. penalty, *id.* s. 21.—93. pl. 43.
 shall make returns as in Sch. B. (p. 106.) to clerks of peace before Michaelmas sessions annually, *id.* s. 22.—93. pl. 44.
 no woman to be in gaols where males are confined, *id.* s. 25.—93. pl. 47. [—93. pl. 47.
 power of, to punish certain enumerated offences of prisoners, *id.* s. 41.
 offences of a higher nature committed by prisoners to be punished by visiting justices, &c. *id.* s. 42.—96. pl. 68.
 selling, &c. spirits in the prison forfeits 20l. besides any other punishment given by this act, *id.* s. 40.—96. pl. 66.

Keepers, matrons, taskmasters, schoolmasters, and other officers:

appointed by justices, except keeper of common gaol, 4 G. 4. c. 64. s. 25.—93. pl. 47. (See s. 12.—92. pl. 33.)
 salaries of, fixed by sessions, *id.* s. 26.—94. pl. 48.
 gaoler may be superannuated, and allowed a pension, *id. ibid.*
 how ejected from apartments in prison, on removal, resignation, or death, *id.* s. 27.—94. pl. 49.

visits of officers of prisons not resident therein shall be entered in a book and signed by them, with any remarks they may think necessary, *id.* s. 34.—94. pl. 56. [tices, *id. ibid.*

gaoler is responsible for the book, and shall produce it to what justices, *id. ibid.*

Chaplains and other religious attendants:

sessions may appoint a clergyman to each prison, 4 G. 4. c. 64. s. 28.
 scale of salaries fixed by statute, when appointed for prisons calculated to hold from 50 to 200 prisoners, *id. ibid.*

salary discretionary in justices, if chaplain appointed for prison calculated to hold more than 200 prisoners, or for two prisons, *id. ib.*
 when two prisons have one keeper, they shall be considered as one with respect to the chaplain's salary and duties, *id. ibid.*

clergyman not to officiate till licensed by bishop, *id.* s. 29.—94. pl. 51.
 duties of, *id.* s. 30.—94. pl. 52.

how removable, *id. ibid.* [restrictions, *id.* s. 31.—94. pl. 53.

ministers of other persuasions allowed to visit prisoners under certain power to quarter sessions to grant annuity to any chaplain incapable from infirmity of executing his office, *id.* s. 32.—94. pl. 54.

books to be kept in which visits of chaplain shall be entered and signed by him, *id.* s. 34.—95. pl. 56.

Surgeon:

appointment by sessions, 4 G. 4. c. 64. s. 33.—94. 95. pl. 55.
 shall visit prison twice a week at least, and see every prisoner, *id. ibid.*
 report by, to quarter sessions, *id. ibid.*
 journal, *id. ibid.* [servants, 5 G. 4. c. 85. s. 8.—93. pl. 37.

annual statement to secretary of state of the establishment of officers and

Prisoners:

Commitment, receiving,

rogues and vagabonds shall be committed to the house of correction, and not to a common gaol, 4 G. 4. c. 64. s. 7.—90. pl. 28.

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power of justices of district, city, town, &c. in 4 G. 4. c. 64., (Sch. A.) to commit to the county house of correction, *id.* s. 8.—91. pl. 29.

Employment,

persons committed for trial,
 visiting justices may, with their consent, authorize their labour for wages paid by the gaoler, 4 G. 4. c. 64. s. 37.—95. pl. 59.
 shall be allowed sufficient food without being obliged to work, 5 G. 4. c. 85. s. 17.—95. pl. 62. [for work done, *ib.*
 and such allowance not to be diminished, though wages paid them prisoners who ought, under the act, to be kept separate, shall not be mixed at work, 4 G. 4. c. 64. s. 37.—95. pl. 59.

no prisoner shall be put on tread-wheel before conviction, 5 G. 4. c. 85. s. 16.—95. pl. 61.

prisoners convicted, [ing justices, 4 G. 4. c. 64. s. 38.—95. pl. 60.
 if not sentenced to hard labour, may be employed by order of visit-except those who maintain themselves, *id. ib.* [the county, &c. *id. ib.*
 if able, and having the means of earning subsistence, have no claim on the labour not to be severe, *id. ibid.*

keeper to keep account of work done, *id. ibid.*

allowance to prisoner for work done, *id. ibid.*

prisoners under sentence of transportation,
 may be kept to hard labour, and removed to house of correction, 5 G. 4. c. 84. s. 18.—95. pl. 63.

term of imprisonment shall be taken in part discharge of term of transportation, *id.* s. 19.—95. pl. 64.

Classification, (see ante.)

gaols, if existing in any county, city, &c. on 10th July, 1823, but insufficient classification in, may be continued by order of sessions for reception of further class or classes of prisoners, 4 G. 4. c. 64. s. 3.—90. pl. 22.

but no classification shall take place therein inconsistent with this act, *id.* s. 5.—90. pl. 23.

Delivery—Supply on discharge:

prisoner, whose confinement is shortened by H. M. on recommendation of sessions, shall, on discharge, receive clothing, with from 5s. to 20s. if confined for one year, and in proportion for shorter confinement, 4 G. 4. c. 64. s. 16.—93. pl. 38.

money may be allowed and paid by the keeper to discharged prisoners, to afford them the means of returning home, or to their settlements, *id.* s. 39.—95. pl. 65., 5 G. 4. c. 85. s. 22.—103. pl. 118.
 and may be provided for out of such bequests as in s. 35. (95. pl. 57.) or out of county rate, *id. ibid.*

engraved or printed forms of passes to be provided for use of visiting justices, 5 G. 4. c. 85. s. 23.—103. pl. 119.

overseers of poor to pay a certain allowance to prisoners, on producing their paper, *id.* s. 24.—103. pl. 120.

county treasurer to pay overseer's money advanced, *id.* s. 25.—103. pl. 121.

discharged prisoner shall deliver up his pass at the last place of receiving allowance, *id.* s. 26.—103. pl. 122.

Escape or attempt to escape:

conveying disguise into prison to assist prisoners to escape, or attempt to escape, 4 G. 4. c. 64. s. 43.—96. pl. 69.

aiding prisoner to escape or attempt to escape; transportation, *id. ibid.*

offender escaping, breaking, or rescued from prison where tried, *id.* s. 44.—96. pl. 70. [attempt to escape, &c. *id. ibid.*

evidence of conviction of such offender, on prosecution for escape,

Punishment of prisoners for offences within the prison:

offences punishable by keeper enumerated, 4 G. 4. c. 64. s. 41.—96. further punishment of refractory prisoners by visiting justices, *id.* s. 42.—96. pl. 68.

Removals of prisoners in certain cases:

sessions may remove prisoners to other confinement, in case of want of repair of prison, or of contagious disease, 4 G. 4. c. 64. s. 51.—98. pl. 81. [remove such prisoners, *id. ibid.*

in case of county gaols, notice to be given to sheriff, who shall removing prisoners back again, *id. ibid.*

visiting justices may order immediate removal of prisoners where necessary, *id.* s. 52.—98. pl. 82. [pl. 83.

their order to such effect shall be laid before sessions, *id.* s. 53.—98. from county gaol, sheriff's consent is necessary, and shall not then be deemed an escape, *id. ibid.*

Debtors:

to be confined in that part of the building which shall be appropriated for the gaol, 4 G. 4. c. 64. s. 5.—90. pl. 24.

District gaols:

Of county gaols in counties divided into ridings or divisions, and of sessions for such gaols,

in such counties, a court of sessions for the gaol shall be held with all the powers given by 4 G. 4. c. 64., respecting the common gaol of the county, 5 G. 4. c. 12. s. 1.—103. pl. 125.

sheriff to give notice of holding such court, *id.* s. 2.—103. pl. 126.

chairman and clerk to be appointed, *id. ibid.*

clerk of gaol sessions to continue in office, till another is appointed with powers of clerk of peace, *id.* s. 3.—103. pl. 127.

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notice of holding them, 5 G.4. c.12. s.4.—103, 104. pl.128.
 place for holding them, *id.* s.5.—104. pl.129.
 freemen to be appointed, *id.* s.6.—104. pl.130. [104. pl.131.
 proportions of county rates to be paid by such riding or division, *id.* s.7.—
 disputes as to proportions in which ridings or divisions shall contribute
 towards the expence of the gaol shall be settled by arbitration, *id.*
 s.8.—104. pl.132. [—104. pl.133.
 arbitrators to be appointed by justices of assize, 5 G.4. c.85. s.21.
 to assess costs of arbitration, *id.* *ibid.*
 order for money to be transmitted to treasurers of several ridings or
 divisions, 5 G.4. c.12. s.9.—104. pl.134.
 rates may be mortgaged for raising the money, *id.* s.10.—104. pl.135.
 rates on each riding or division to be charged in same way as rates on
 counties by 4 G.4. c.64; *id.* s.11.—104. pl.136.
 quarterly reports, directed by 4 G.4. c.64., shall be transmitted and laid
 before gaol sessions, *id.* s.12.—104. pl.137.
 reports, &c. to be transmitted to secretary of state by chairman of gaol
 sessions, *id.* s.13.—104. pl.138.
 returns from keeper of prisons to be delivered to clerk of gaol sessions,
id. s.14.—104. pl.139. [—104. pl.140.
 by whom convictions for recovery of penalties, &c. shall be made, *id.* s.15.
 common gaol of county to be deemed within each riding or division,
id. s.16.—104. pl.141.

*Contracts by justices having charge of any gaol or house of correction in any
 city, town, borough, port, or liberty with the justices having charge of any
 gaol of the adjacent county, riding, &c. for support in such last-mentioned
 gaol of prisoners committed thereto from such city :*

power of city justices to contract with county justices for care of city
 prisoners in county gaols, &c., 5 G.4. c.85. s.1.—102. pl.111.
 contract must be by order of sessions of both city and county, *ib.*
 prisoners to be committed to the gaol contracted for, *id.* *ibid.*
 expence under the contract, *id.* s.2.—102. pl.112.
 during the contract, the city, &c. so contracting is not liable to provide a
 prison, *id.* s.3.—102. pl.113.
 magistrates, &c. of cities, &c. may borrow money for rebuilding a
 county gaol or house, &c. for their use, *id.* s.4.—102. pl.114.
 monies to be raised for building gaols, *id.* s.5.—102. pl.115.
 money borrowed for rebuilding gaols, &c. to be repaid to such city, &c.
 advancing the same, *id.* s.6.—102. pl.116.
 chief magistrates of cities, &c. having separate jurisdictions, shall report
 to the secretary of state as to contracts with counties for the use of
 prisons, *id.* s.7.—101. pl.117.
 copy of regulations of prisons, and a return to be made as in Sch. an-
 nexed, to the secretary of state, *id.* s.8.—101. pl.118.

Miscellaneous :

Annual report to the secretary of state :

a general report to be forwarded annually to the secretary of state to be
 laid before parliament, 4 G.4. c.64. s.24.—93. pl.46.

Fines, penalties ; Recovery, and application ; Appeal ; Actions :

penalties imposed under this act shall, on conviction, before one justice
 be levied by distress, 4 G.4. c.64. s.69.—101. pl.102.

conviction, form of, *id.* s.70.—101. pl.103., not to be quashed for want
 of form, *id.* s.72.—101. pl.105.

appeal to quarter sessions, *id.* s.71.—101. pl.104.

general issue pleadable in suits for acts done in pursuance of 4 G.4.
 c.64., *id.* s.73.—101. pl.106.

venue local in such actions, *id.* s.74.—102. pl.108.

Saving of rights :

franchises of mayors, or justices, &c. of cities, towns, or liberties having
 separate jurisdiction, to commit to county gaol, saved, 4 G.4. c.64.
 s.9.—91. pl.30. [*id.* s.77.—102. pl.110.

While prisons built on crown land are used as such, the lands unalienable,
 preamble to 4 G.4. c.64., & 5 G.4. c.84.—89. pl.20.
 schedules of both acts,—106.

repeals effected by 4 G.4. c.64. s.1.—*id.* *ibid.*

regulations of 4 G.4. c.64. shall be executed by the quarter sessions,
 4 G.4. c.64. s.4.—90. pl.23.

liabilities of particular persons or bodies to repair prisons, to maintain
 expences, or to contribute to either purpose, are not altered by
 4 G.4. c.64., or 5 G.4. c.85., 5 G.4. c.85. s.15.—90. pl.26.

Keepers of, not liable to serve on juries, 6 G.4. c.50. s.2.—119. pl.3.

GARDENS.

Protecting, 6 G.4. c.127.—176. pl.23.

GAUGING. (page 107.)

Acts relating to, repealed, 107.

Acts for, repealed by 5 G.4. c.74. s.23.—339, 340. pl.26.

the 31 Ed.3. st.1. c.5., 4 R.2. c.1., 18 H.6. c.17., 1 R.3. c.13.

Vessels of wine, oil, honey, and other guageable liquors imported or brought
 into port of London, and landed within the city of London,

liable to be guaged, how, and by whom, 5 G.4. c.74. s.25.—340. pl.28.
 tuns, pipes, tertians, hogsheads, and other vessels,

contents of, ascertained by what standard, *id.* *ibid.*

liable to seizure with their contents if found wanting, *id.* *ibid.*

former acts relating to, how far in force, *id.* *ibid.*

forfeitures so incurred, how disposed, *id.* *ibid.*

GAUGING — *continued.*

right of mayor and commonalty of London in office of guager, not
 lessened hereby, 5 G.4. c.74. s.26.—340. pl.29.

GIBRALTAR. See NAVIGATION.

Regulations for vessels in which plague, &c. appears, within or without the
Straights of, 6 G.4. c.78. s.7.—202. pl.8.

GREENHOUSE.

See 6 G.4. c.127.—176. pl.24.

GREENWICH HOSPITAL.

[in his hands,

Bankruptcy or insolvency of persons indebted to, or having prize, &c. money
 power to prove, receive dividends, choose assignees, sign certificate, and
 direct sale, &c. of bankrupt's effects, 5 G.4. c.107. s.4.—34. pl.16.

See CHELSEA, &c. HOSPITALS.

[1824, *id.* *ibid.*

proviso for matters depending on petitions presented before the 24th June
 penalty of death for personating out-pensioner in order to receive out-pen-
 sion, repealed, and transportation for life, or not less than seven
 years, or imprisonment only, or imprisonment for not more than
 seven years, with or without hard labour, substituted, 4 G.4. c.46.
 s.1.—174. pl.12.

GUARDIAN.

The 7 A. c.19. and 4 G.3. c.16. repealed 6 G.4. c.74. s.1.—54. pl.6. See
 COURTS (CHANCERY).

H.

HARD LABOUR. See OFFENCES.

Offences for which sentence of imprisonment with hard labour may be
 awarded for a term not exceeding that of the imprisonment without it :
 assault with intent to commit felony, 3 G.4. c.46. s.1.—173. pl.6.
 attempt to commit felony, *id.* *ibid.*

riot, *id.* *ibid.*

receiving stolen goods knowing them to have been stolen, *id.* *ibid.*

assault on peace, customs, excise, or revenue officer, or person aiding him
 in due discharge of his duty, *id.* *ibid.*

assault in pursuance of conspiracy to raise wages, *id.* *ibid.*

uttering of counterfeit money, knowing it to be counterfeit, *id.* *ibid.*

knowingly obtaining money, goods, bills, bonds, or other securities for
 money, by false pretences, with intent to cheat, *id.* *ibid.*

keeping common gaming, bawdy, or disorderly house, *id.* *ibid.*

perjury, or subornation thereof, *id.* *ibid.*

entering open or inclosed ground with intent to take game or rabbits, or
 to aid, &c. therein, and being found there at night armed with of-
 fensive weapons, *id.* *ibid.* [periods,

Other offences punishable by imprisonment with hard labour for different
 cutting hop-binds, 4 G.4. c.46. s.1.—174. pl.12.

cutting or destroying bank, mill, engine, floodgate or sluice, erected for
 purposes of Bedford Level, *id.* *ibid.* [*id.* *ibid.*

personating Greenwich out-pensioner in order to receive out-pension,
 frame or loom breaking, damaging woollen, silk, linen, or cotton manu-
 factures in progress of manufacture, or aiding, &c. therein, *id.* s.2.
 —174. pl.13. [pl.15.

cutting woollens from rack or tenters in night time, 4 G.4. c.53.—175.
 stealing or embezzling H. M.'s ammunition, naval, or military stores,
id. *ibid.*

privately stealing in any shop, warehouse, coachhouse, or stable, *id.* *ibid.*

stealing goods in any vessel or craft, on any river, canal, port, creek, dock,
 wharf, or quay, *id.* *ibid.* [act, 4 G.4. c.54. s.1.—175. pl.17.

certain offences in black act, 9 G.1. c.22. s.1. made clergyable by this
 sending threatening letters with intent to extort money, &c. *id.* s.2.—175.
 pl.18.

assault with intent to rob by menaces or force; demanding money ;
 threatening accusation of crime punishable by death, transportation,
 or pillory, or of infamous crime, with intent to extort money, or
 aiding, &c. therein, *id.* s.5.—176. pl.22.

misdeanor, declared such by Thames Police act, 3 G.4. c.55., 6 G.4.
 c.21. s.5.—200. pl.56.

servants, clerks, or apprentices, robbing their employers, 3 G.4. c.38.
 s.2.—207. tit. SERVANTS, pl.2.

HATS AND CAPS.

The 17 G.3. c.55. ss.3, 4. how far repealed, 6 G.4. c.129. s.2.—46. pl.4.
 See COMBINATIONS.

HAY.

Firing stack, &c. of, by rioters, see 3 G.4. c.33. tit. MALICIOUS MISCHIEF.

HEALTH, PUBLIC.

The 42 G.3. c.73. and 59 G.3. c.66. amended 6 G.4. c.63.—52. pl.3. See
 COTTON MANUFACTURES.

HIDES AND SKINS. (page 108.)

Tanner carrying on business of shoemaker, currier, leather cutter, or other
 artificer in leather, forfeits what, 52 G.3. c.94. s.7., tit. HIDES, &c.—
 108. pl.2.

Additional duties granted on by 52 G.3. c.94. Sch. A., repealed 3 G.4.
 c.83. ss.1, 2, 3.—108. pl.4.

Drawbacks on, granted by 56 G.3. c.110. s.2. repealed, *id.* *ibid.*

HIDES AND SKINS—*continued*.

Penalty on removing or concealing hide, skin, or part thereof, or vellum, or parchment, to defraud excise, 3 G.4. c.83. s.5.—108. pl.5.

Weighing and counting hides, &c., notice to officer, in order to stamping them, and penalty on concealment, *id.* s.6.—108. pl.6.

Currier not being an entered tanner shall not use sumack except for boot-tops or saddles, on 100*l.* penalty, *id.* s.7.—108 pl.8..

HOMICIDE.

The 33 H.8. c.23. s.2. repealed 6 G.4. c.50. s.62.—126. pl.63.

HOPS. (*page 108.*)

Penalty of death for cutting hop-binds, repealed, and transportation for life, or not less than seven years, or imprisonment with or without hard labour for not more than seven years, substituted, 4 G.4. c.46. s.1.—174. pl.12.

HOSPITALS.

Erection of, abroad, by H. M.'s subjects, 6 G.4. c.87. s.11.—50. pl.12.

HOT-HOUSE. See 6 G.4. c.127.—176. pl.24.

HOUSE.

Destroying, damaging, setting fire to, by rioters, see 3 G.4. c.33. tit. **MALICIOUS MISCHIEF.**

HOUSE OF CORRECTION. See **GAOLS** (*Houses of Correction*).

HUNDRED. See **MALICIOUS MISCHIEF.**

Actions against, for damage done by rioters in certain cases, and not exceeding 30*l.*, 3 G.4. c.33.—138, 139.

HUE AND CRY. (*page 108.*)

Acts repealed, 3 G.4. c.33. tit. **MALICIOUS MISCHIEF.**

I.

IDIOT AND LUNATIC. (*pages 108—110.*) See **COURTS** (**CHANCERY**).

Borrowing money on mortgage of county rate, to carry 48 G.3. c. 96. into execution, 6 G.4. c.40. s.1. — 105. pl.143.

majority of visiting justices must concur in making orders or determinations at their meetings held under stats. 48 G.3. c.96., 51 G.3. c.79., 55 G.3. c.46., 56 G.3. c.117., or 59 G.3. c.127., relating to lunatics, 5 G.4. c.71. s.1.—108. tit. **IDIOT**, &c. pl.2.

due notice of such meetings must be previously given, *id.* *ibid.*

powers of visiting justices under the above acts may be exercised by the majority present, being not less than three, *id.* *ibid.*

When two counties have united, or county has united with private subscribers to erect a lunatic asylum, the number of visiting justices may be increased from time to time, *id.* s.2.—108. pl.3.

two justices may make an order on overseers of the place of settlement of lunatic or dangerous idiot for a weekly maintenance, *id.* s.3.—108. pl.4.

appeal, *id.* s.4.—108. pl.5.

distress and sale of goods of overseers neglecting to pay such weekly maintenance for 20 days after notice of justice's order, *id.* s.5.—108. pl.6.

Provisions in the above acts,

relating to *counties*,

extend to ridings, divisions, cities, towns, liberties, and places possessing separate jurisdictions, *id.* s.6.—109. pl.7.

relating to *parishes*,

extend to villages, townships, and places maintaining their own poor, [*id.* *ibid.*]

Inquisitions of lunacy, idiotcy, or noncompos, returned into chancery, before 22d June, 1825,

petitions for proceeding in traverses thereto must be made to the chancellor before end of *Michaelmas* term 1825, 6 G.4. c.53. s.1.—109. pl.9.

after 22d June, 1825,

petitions for proceeding in traverses thereto must be made to the chancellor within three months after return of the inquisition, *id.* *ibid.*

chancellor to limit a time for trial of traverses not exceeding six calendar months from the date of his order, *id.* *ibid.*

the party desiring to traverse the inquisition shall give security for going to trial within the time limited, *id.* *ibid.* [s.2.—109. pl.10.]

right to traverse barred by noncompliance with the directions in s.1. *id.* except the chancellor on petition allow the traverse to be tried after the time by s.1. limited, *id.* *ibid.*

chancellor may direct new trial, *id.* s.3.—109. pl.11.

power of chancellor to make orders as to custody of lunatic, and management of his affairs, *id.* s.4.—109. pl.12.

saving and indemnity for all acts of committees, &c. *id.* *ibid.*

The 4G.2. c.10., 1 & 2 G.4. c.114. repealed, 6 G.4. c.74. s.1.—54. pl.6. See **COURTS** (**CHANCERY**).

INDEMNITY. (*pages 110, 111.*) (6 G.4. c.3.)

Persons who have omitted to qualify themselves for certain offices, by taking and subscribing the oaths, declarations, &c. or by receiving the sacrament, before 9th March, 1825, as required by law, are indemnified on taking such oaths, &c. on or before 25th March, 1826, 6 G.4. c.3. s.1.—110. pl.2.

INDEMNITY—*continued*.

Persons who have omitted to qualify,

act extends to persons who have neglected to qualify themselves agreeably to 2 *Ann.* (*Ir.*) 6 G.4. c.3. s.2.—110. pl.3.

also to persons who have acted as trustees of turnpike roads without qualification, *id.* s.3.—110. pl.4. [—111. pl.5.]

does not indemnify persons against whom final judgment is given, *id.* s.4.

nor justices of peace acting without legal qualification, *id.* s.5.—111. pl.6.

Indemnity to clerks of peace, town-clerks, officers, and members of corporations whose admissions in court-books are not stamped, or are lost or mislaid, on stamping the same before 25th March, 1826, *id.* s.6.—111. pl.7.

does not restore persons to offices avoided by judgment, *id.* s.7.—111. pl.8.

Persons prosecuted, and relying on this act for indemnity, may plead the general issue, *id.* s.8.—111. pl.9.

INDICTMENT. (*page 111.*)

In indictments for *forgery* or *obtaining money by false pretences*, the act may be laid as done with intent to defraud one or more of any partners, &c. 6 G.4. c.56.—111. tit. **INDICTMENT**, &c. pl.2.

The 11 H.4. c.9. repealed, 6 G.4. c.50. s.62.—127. pl.63.

INFAMOUS CRIME.

Indecent assault shall be deemed an *infamous crime* within 4 G.4. c.54., for punishing persons maliciously threatening to accuse others of any *infamous crime*, 6 G.4. c.19.—175. pl.20.

INFANTS.

Conveyance, &c. of estates vested in, 6 G.4. c.74.—54. pl.5. See **COURTS** (**CHANCERY**).

Education of, out of trust funds, 6 G.4. c.74. s.12.—56. pl.17.

INSOLVENT DEBTORS. (*pages 111—117.*)

Continuance of stat. 5 G.4. c.61., *id.* s.23.—117. pl.51.

Justices of peace:

[5 G.4. c.61. s.1—114. pl.27.]

powers of, in sessions, over insolvents, taken away, except in *Wales*,

Provisional assignee:

to take possession by himself or messenger of all the estate, &c. conveyed to him by prisoner, 3 G.4. c.123. s.1.—111. pl.2.

and out of proceeds to pay expences of taking possession, or of seizure and sale, and to account, *id.* *ibid.* [ation or death, *id.* *ibid.*]

property vested in him by insolvent acts to go to successor on his resignation may sue in his own name to recover prisoner's property, *id.* s.2.—111. pl.3.

Assignees of estate and effects of prisoner for the purposes of 1 G.4. c.119.:

one or more may be appointed as well before as after adjudication of discharge, 3 G.4. c.123. s.3.—111. pl.4.

time at which provisional assignee shall assign to, *id.* *ibid.* [signee, *id.* *ibid.* shall exercise powers and be subject to the liabilities, &c. of provisional assignment to, vests property from time of first assignment to provisional assignee, *id.* *ibid.*

using money belonging to insolvent's estate may be charged with interest not exceeding 20 per cent., *id.* s.4.—112. pl.5.

Debts of prisoner:

[in schedule, *id.* s.5.—112. pl.6.]

insolvent court may examine into, whether stated, admitted, or disputed so, whether improperly admitted or disputed by the prisoner, *id.* *ibid.*

no prisoner shall be discharged as to debt admitted in schedule, &c. for want of plaintiff's proceeding, *id.* s.11.—112. pl.12.

prisoner, on discharge, is discharged against creditors for debts growing due at a future day, *id.* s.13.—113. pl.14.

due to *Chelsea* or *Greenwich* hospital,

proof of, how made, 5 G.4. c.107. s.34.—53. pl.16.

Adjudication and order of discharge:

[pl.7.]

names of creditors need not be specified in, 3 G.4. c.123. s.6.—112.

the order may refer to schedule instead, *id.* *ibid.* [remanded, *id.* *ibid.*]

particular creditors need not be named in adjudication, where prisoner is but prisoner shall be detained nevertheless, *id.* *ibid.*

Reference for investigation of prisoner's accounts or schedule:

expence thereof to be repaid out of the first proceeds, *id.* s.7.—112. pl.8.

prisoner to attend at such reference as a witness if required, *id.* *ibid.*

fee to his keeper, *id.* *ibid.*

administering oaths to, and perjury by witnesses, &c. *id.* *ibid.*

limitation of distance in conveying prisoners, *id.* *ibid.*

Confinement of prisoners:

insolvent court may order prisoners remanded for a period of confinement before their discharge, to be confined within the walls, 3 G.4. c.123. s.8.—112. pl.9. See *Rehearing*.

insolvent acts, 1 G.4. c.119., and 3 G.4. c.123., only to extend to prisoners within the walls, and not to prisoners removed by *habeas corpus*, 5 G.4. c.61. s.12.—115. pl.38.

but prisoners in *King's Bench*, or *Fleet* may after order for hearing petition, obtain the rules by leave of the court on affidavit of medical man, 6 G.4. c.121. s.1.—115. pl.39.

if having so obtained the rules, he go beyond them without lawful cause, he shall lose the benefit of the insolvent acts, *id.* s.2.—115.

Collusive arrest in London, Middlesex, or Surrey:

when prisoner residing in some other county or place, is arrested as above, affidavits in opposition of discharge may be received from country creditors, 3 G.4. c.123. s.10.—112. pl.11.

INSOLVENT—continued.

[c.123. s.10.—112. pl.11.

interrogatories may be filed for examination, &c. of deponents, 3 G.4. discharge of prisoner after such interrogatories, *id. ibid.*

Married women :

petitions for discharge received from, without the conveyance or warrant of attorney required by 1 G.4. c.119. s.4. 25., 3 G.4. c.123. s.12.—113. pl.13.

instead of which she shall execute a conveyance of all her separate trust, and personal property, except necessities of 20*l.* value, *id. ibid.*

proviso for rights of husband in both cases, *id. ibid.*

all provisions in 1 G.4. c.119., or this act, touching real and personal estate of prisoner, apply to married women, *id. ibid.*

shall also execute a warrant of attorney for amount of debts unpaid, *id. ib.* how far judgment entered up thereon, shall affect the husband, *id. ibid.*

during his lifetime, before or after death of wife, *id. ibid.* [*ibid.* discharge of, shall not discharge husband from liability to pay the debt, *id.*

Rehearing by insolvent court :

where discharged insolvent does not appear before the insolvent court, on being served with copy of a rule for rehearing, he may be apprehended, remanded, and brought up for examination as often as the court thinks fit, *id.* s.14.—113. pl.15.

like power to sessions in *Wa.*, *id. ib.* See 5 G.4. c.61. s.1.—114. pl.27.

court may revise their adjudication and order where insolvent has been been remanded for a period of confinement, 3 G.4. c.123. s.15.—113. pl.16.

Attorney or agent :

practising in insolvent court as such after removal from the files thereof, is liable to fine and imprisonment as for contempt, 3 G.4. c.123. s.16.—113. pl.17.

Affidavits :

before whom to be sworn, *id.* s.17.—113. pl.18.

swearing in *Scot.* and *Ire.*, *id. ibid.*

Insane prisoner :

estate of, shall vest in provisional or other assignee, as fully as if duly conveyed by the prisoner being sane, 3 G.4. c.123. s.18.—113. pl.19. [*ibid.*

court may order judgment to be entered up as if prisoner was sane, *id.* dividend of his estate, 5 G.4. c.61. s.15.—116. pl.43.

Commission of bankrupt :

where assignment avoided by, no action shall be brought for any thing done by virtue of the assignment; exception, 3 G.4. c.123. s.19.—114. pl.20. See 5 G.4. c.61. s.14.—116. pl.42.

Unclaimed property of insolvents :

investing, and application of proceeds, 3 G.4. c.123. s.20.—114. pl.21.

New court in Portugal Street :

[—114. pl.22.

business of insolvent court to be carried on there, when erected, *id.* s.21.

fee to keeper for bringing up prisoner, on hearing of his petition and schedule, *id. ibid.*

Rules, orders, warrants, and proceedings of insolvent court :

the substance of the proceedings only shall be set out in, and how, 3 G.4. c.123. s.22.—114. pl.23.

Adjournment of the court :

never for more than six weeks, 3 G.4. c.123. s.23.—114. pl.24.

from time to time between six weeks after *Trinity* term, and 1st *Nov.*, as commissioners think fit, *id. ibid.*

for other periods in absence of all the commissioners, as allowed by a secretary of state, 5 G.4. c.61. s.9.—115. pl.35.

Information or indictment against prisoner :

in indictments or informations for fraudulently omitting to insert property in schedule, only substance of offence charged to be set out, 3 G.4. c.123. s.24.—114. pl.25.

Removing prisoners from one gaol to another :

insolvent court, at request of creditors, may remove prisoners from the prisons in *London*, *Middlesex*, or *Surrey*, to the gaol of the county or place where their usual residence is, 5 G.4. c.61. s.3.—116. pl.41. so, where prisoner arrested in any place other than the above, is rendered in discharge of his bail, *id. ibid.*

expence of conveyance, how defrayed, *id. ibid.* [*ibid.*

hearing of each prisoner to come on before the circuit commissioner, *id.*

Act of bankruptcy,

filing petition by a prisoner subject to bankrupt law shall be deemed an act of bankruptcy from that time, 5 G.4. c.61. s.14.—116. pl.42.

but no commission of bankruptcy shall issue against such a prisoner after order of discharge, *id. ibid.*

Dividend :

assignees to give 14 days' notice of, 5 G.4. c.61. s.15.—116. pl.43.

acceptance of dividend discharges the prisoner as a discharge by the insolvent court would, *id. ibid.*

order shall be made, specifying debts from which so discharged, *id. ibid.*

Warrants of attorney or cognovit of insolvent :

every warrant of attorney and cognovit, not filed within 21 days after execution, void against the provisional or other assignees of a prisoner applying by petition for his discharge within such 21 days, 5 G.4. c.61. s.16.—116. pl.44.

assignees may recover for use of creditors, notwithstanding judgment or execution on such warrant, &c. *id. ibid.*

INSOLVENT—continued.

Fraudulent preference :

voluntary conveyance, assignment, &c. made by person in insolvent circumstances, before or after imprisonment, is void against his assignees if made within three months before, or with view of filing petition for discharge, 5 G.4. c.61. s.17.—116. pl.45.

Officers of customs or excise :

court may order such portion of their salaries as the commissioners of customs, &c. shall consent to, to be applied to liquidate their debts by paying it over to the assignee, 5 G.4. c.61. s.18.—116. pl.46.

Officers or clerks in H. M.'s or E. I. Co.'s service :

nearly similar regulation, 5 G.4. c.61. s.22.—117. pl.50.

Rent under lease to insolvent :

insolvent delivering up his lease, or agreement for lease, to his assignees, shall not remain liable for rent coming due after acceptance thereof by the assignees, 5 G.4. c.61. s.19.—116. pl.47.

lessor may apply to court or circuit commissioner, that the assignees may accept the lease, &c. or deliver it up, with possession of demised premises, *id. ibid.*

Costs to opposing creditors :

to be paid out of the estate if they prove certain frauds on part of prisoner, *id.* s.20.—116. pl.48.

One commissioner,

may hear matters out of court arising on summons, and may make order thereon, *id.* s.21.—116. pl.49.

Discharge, &c. of country insolvents by commissioner on circuit :

insolvent court may make order to bring prisoner to court-house in assize town of county, &c. where such prisoner is in custody, on day and time mentioned in the order, 5 G.4. c.61. s.1.—114. pl.28.

expence of conveying prisoner to assize town shall be paid to keepers, &c. if not exceeding 1*s.* per mile, *id. ibid.*

notice to creditors, *id. ibid.*

one insolvent commissioner shall attend at such court-house on the day fixed in the order, and shall hear petitions, discharge or remand prisoners, as in insolvent court in *London*, *id.* s.23.—114. pl.29.

all his acts, &c. as valid as if done by insolvent court, and shall be of record therein, *id. ibid.*

additional commissioner, *id.* s.4.—115. pl.30.

circuits of three commissioners, three times a year, *id. ibid.*

travelling expences, *id. ibid.*

clerk of peace or his deputy shall attend in court-house as clerk to the commissioner, with 5*s.* fee for every prisoner brought up, *id.* s.5.—115. pl.31.

notice of time and place of commissioner's attendance shall be given in the *Gazette* and in county newspapers in each of the two weeks before his attendance, *id.* s.6.—115. pl.32.

when commissioner does not attend on appointed day, the court shall stand adjourned till the next day, *id.* s.7.—115. pl.33.

commissioner shall state in writing to a secretary of state the cause of his non-attendance on the day appointed, *id.* s.8.—115. pl.34.

all the commissioners may be absent from *London*, *Middlesex*, and *Westminster* at the same time, if the reason is approved by a secretary of state, *id.* s.9.—115. pl.35.

circuit commissioner may appoint examiners for purposes of insolvent acts in each county, *id.* s.10.—115. pl.36.

commissioner may order him to examine matters of prisoner's schedule, and to certify his opinion thereon, *id. ibid.*

fee of 1*l.* to examiner for every meeting under such order, *id. ibid.*

duplicate of schedule and of all books, &c. relating thereto, shall be lodged by prisoner with the clerk of the peace, who shall produce them to any creditor or his attorney, on paying 1*s.* for each inspection, *id.* s.11.—115. pl.37.

clerks of peace to furnish copies of petition or schedule, *id. ibid.* on what payments, *id. ibid.*

In *Newfoundland*, See *NEWFOUNDLAND*.

In *New Holland*, See *NEW HOLLAND*.

INSURANCE. (page 117.) See CORPORATION; TRADING COMPANY.

So much of 6 G.1. c.18. as restrains other corporations, partnerships, &c., besides the *Royal Exchange Assurance*, and *London Assurance* corporations from effecting marine assurances, or lending money on bottomry repealed, 5 G.4. c.114. s.1.—117. tit. *INSURANCE*, pl.2.

saving for the other rights and privileges of those corporations, *id.* s.2. tit. *INSURANCE*. 117. pl.3.

the 6 G.1. c.18. ss.18, 19, 20, 21.

how far repealed, 6 G.4. c.91. s.1.—52. pl.2.

Where the insurer is bankrupt, 6 G.4. c.16. s.53.—17. pl.75. See *BANKRUPT*.

IRELAND.

Rate of interest on mortgages of lands, &c. in, may exceed 5*l.* per cent., 3 G.4. c.47.—146, 147. tit. *MORTGAGES*.

ISLE OF MAN. See NAVIGATION.

Herring fishery, bounties on, 5 G.4. c.64. s.2.—85. pl.2. See *FISHERIES*, (*BRITISH*.)

JUDGES. (pages 117—119.) See COURTS (K. B.), (C. P.), (EXCHEQUER.)

Salaries and emoluments of:

acts relating to, repealed, 6 G. 4. c. 84. s. 1.—117. pl. 2.
of the chief justice of K. B., 6 G. 4. c. 82. See COURTS.
of the chief justice of C. P., 6 G. 4. c. 83. See COURTS.
of the master of the rolls in Eng., 6 G. 4. c. 84. s. 2.—117, 118. pl. 3.
of the vice chancellor of Eng., *id. ibid.*
of the chief baron of exchequer, *id. ibid.*
of the puisne judges of K. B. and C. P., *id. ibid.*
of the barons of exchequer, *id. ibid.*
at what times payable, *id. s. 3.—118. pl. 4.*
how apportioned in case of death or resignation, *id. ibid.*
how much successor in such case entitled to, *id. ibid.*
out of what fund payable, *id. s. 2.—117. pl. 3.*
to the master of the roll and vice-chancellor, to be made up from what fees, *id. s. 8.—119. pl. 9.*

Pensions on resignation:

to the master of the rolls, *id. s. 4.—118. pl. 5.*
to chief baron of exchequer, *id. ibid.*
to the puisne judges or barons, *id. ibid.*
to be in addition to what other sums, *id. ibid.*
when to commence, and how long to endure, *id. ibid.*
out of what fund, and at what times payable, *id. ibid.*
to the vice-chancellor, *id. s. 5.—119. pl. 6.*
when to commence, and how long to continue, *id. ibid.*
out of what fund, and at what time payable, *id. ibid.*
how diminished in case of new office given him, *id. ibid.*
not entitled to it until after fifteen years' service, *id. ibid.*
exception, *id. ibid.*

Fees of the judges:

none payable to whom, *id. s. 6.—118. pl. 7.*
but to be received by the different officers as heretofore, *id. ibid.*
to be so received for the public use, *id. ibid.* [s. 7.—118. pl. 8.
the termly fee of 10*l.* payable to second judge of K. B.; exception, *id.*
master of the rolls and vice-chancellor, [id. s. 8.—118. pl. 9.
accounts of fees payable to, to be made up, when, how, and by whom,
to be delivered to the treasury, *id. ibid.*
how apportioned in case of death or resignation, *id. s. 9.—119. pl. 10.*
account, when delivered in, in case of, *id. ibid.*

Miscellaneous:

Not liable to serve on juries, 6 G. 4. c. 50. s. 1.—119. pl. 2. See JURY.

JURY. (pages 119—128.)

Regulations for making lists of persons liable to serve on juries in Eng. and Wa.; Jurors' book and Petty Sessions.

Persons liable to serve on juries,

every person between what ages, 6 G. 4. c. 50. s. 1.—119. pl. 2.
exception for peers and judges, *id. s. 2.—119. pl. 3.*
clergyman and popish priests, when, *id. ibid.*
teachers and preachers of protestant dissenters, *id. ibid.*
sergeants and barristers, when, *id. ibid.*
doctors and advocates, when, *id. ibid.*
attornies, solicitors, and proctors, when, *id. ibid.*
officers of the court, when, *id. ibid.*
coroners, gaolers, and keepers of houses of correction, *id. ibid.*
members and licentiates of the physicians' college at London, *id. ib.*
surgeons, when, *id. ibid.*
apothecaries, when, *id. ibid.*
officers in H. M.'s navy or army, in full pay, *id. ibid.*
Trinity-house pilots, *id. ibid.*
masters of vessels in the buoy and light service, when, *id. ibid.*
cinque port pilots, when, *id. ibid.*
household servants of H. M., *id. ibid.*
officers of customs or excise, *id. ibid.*
sheriffs' officers, high constables, and parish clerks, *id. ibid.*
names of such persons not inserted in list hereby required, *id. ibid.*
proviso for exemptions created by charter, grant, writ, or prescription, *id. ibid.*
justices of peace at their own sessions, *id. s. 48.—121. pl. 49.*
inhabitants of Westminster at sessions of the peace, for Middlesex, *id. s. 49.—125. pl. 50.*
by previous service, *id. s. 42.—124. pl. 43.*

Persons disqualified to serve on juries:

aliens; exception, *id. s. 3.—119. pl. 4.*
those attainted of treason or felony, *id. ibid.*
those convicted of any infamous crime, *id. ibid.*
exception in case of free pardon, *id. ibid.*
those outlawed or excommunicated, *id. ibid.*
those under disabilities,
by lunacy or imbecility, *id. s. 10.—120. pl. 11.*
by deafness or blindness, *id. ibid.*
by any permanent bodily infirmity, *id. ibid.*

JURIES — continued

Qualification of persons serving on juries:

in England,

[where he resides,

10*l.* per ann in juror's own name, or in trust for him within county in freehold lands, 6 G. 4. c. 50. s. 1.—119. pl. 2.
in copyhold or customary lands, *id. ibid.*
in lands held in antient demesne, *id. ibid.*
in rents issuing out of land, *id. ibid.*
in such lands and rents together, *id. ibid.*
so whether held in fee, in tail, for life, or *pur auter vie*, *id. ibid.*
20*l.* per ann. within the same county,
in leaseholds for twenty-one years, *id. ibid.*
for longer terms, *id. ibid.*
for terms determinable on life or lives, *id. ibid.*
by assessment for the poor rate or house duty,
on what value in Middlesex, *id. ibid.*
in any other county, *id. ibid.*
by occupation of a house with fifteen windows, *id. ibid.*
in Wales, id. ibid.
on inquests, or writs of inquiry, *id. s. 32.—125. pl. 13.*
before commissioners,
under the great seal, *id. ibid.*
under the seal of the court of exchequer, *id. ibid.*
under the seals of the courts of the counties palatine, *id. ibid.*
under the seal of the courts of great sessions, *id. ibid.*
proviso for inquests,
before coroner, *virtute officii, id. ibid.*
so in local jurisdictions, *id. ibid.* [s. 1.—119. pl. 2.

on grand juries in courts of sessions of the peace in Eng. or Wa., *id.*
want of, good ground for challenge, *id. s. 27.—122. pl. 38.*
in freehold, no ground of challenge, when, *id. ibid.*

Lists of persons liable to serve on juries, and duty of officers of the law in respect thereof:

Clerks of peace in Eng. and Wa.,

duty of, in reference to such lists, *id. s. 4.—119. pl. 5.*

warrant of, directing the formation of,

to be issued yearly in July, *id. ibid.*

form of, *id. ibid.*

directed to high constables, *id. ibid.*

how, where two or more, *id. s. 6.—119. pl. 7.*

returns to, to be printed, *id. s. 5.—119. pl. 6.*

expence of, how paid, *id. ibid.*

lists so made to be kept by, *id. s. 12.—120. pl. 13.*

how arranged, *id. ibid.*

jurors' book, duty of, in reference to, *id. ibid.*

errors in, how corrected, *id. s. 45.—125. pl. 46.*

penalty on,

[125. pl. 47.

for not printing warrants, precepts, or forms of return, *id. s. 46.—*

for not issuing warrant to high constable, *id. ibid.*

for not annexing forms of return thereto, *id. ibid.*

for not delivering more forms on demand, *id. ibid.*

for not preparing jurors' book, *id. ibid.*

not delivering it to sheriff, &c. *id. ibid.*

not giving notice to sheriff of errors in, when, *id. ibid.*

for not giving a certificate of service, when, *id. ibid.*

for not transmitting to under sheriff lists of persons attending, &c.

High constables of hundreds, &c.

id. ibid.

duty of, on receiving warrant of clerk of peace, *id. s. 4.—119. pl. 5.*

precept directing formation of such lists,

to be issued yearly, *id. ibid.*

to whom directed, *id. s. 6.—119. pl. 7.*

what to command, *id. s. 4.—119. pl. 5.*

form of, and when issued, *id. s. 6.—119. pl. 7.*

returns to be annexed to, *id. ibid.*

duties of, where more than one in a hundred, *id. ibid.*

where hundred situate in two or more parishes, *id. ibid.*

penalty on,

for neglecting to issue his precept, *id. s. 44.—124. pl. 45.*

for neglecting to annex forms of returns thereto, *id. ibid.*

to deliver additional number when required, *id. ibid.*

to apply for more if he has none left, *id. ibid.*

for neglecting to attend petty sessions, to receive the lists, *id. ibid.*

for neglecting to deliver lists to the sessions, *id. ibid.*

for altering such lists, *id. ibid.*

Churchwardens and overseers,

duty of, on receiving high constable's precept, *id. s. 4.—119. pl. 5.*

how performed where an overseer, *id. s. 6.—119. pl. 7.*

may inspect duplicate or tax assessments, *id. s. 11.—120. pl. 12.*

may take extracts from them, *id. ibid.*

penalty on,

for neglecting to assist in making out list, *id. s. 45.—124. pl. 46.*

for omitting any name wrongfully, *id. ibid.*

for inserting any name wrongfully, *id. ibid.*

for taking money for such omission or insertion, *id. ibid.*

for inserting a wrong description or qualification, *id. ibid.*

JURY—*Jury lists — continued.*

Churchwardens and overseers, penalty on, [124. pl.46.
 for neglecting to apply for additional forms, 6 G.4. c.50. s.45.—
 for neglecting to affix copy of list on church door, *id. ibid.*
 for not subjoining the proper notice, *id. ibid.*
 for refusing permission to inspect list, when, *id. ibid.*
 for not producing list or notice from petty sessions, *id. ibid.*
 for not answering on oath all questions put to them, *id. ibid.*
 for refusing to permit an inspection of assessments, *id. ibid.*

In particular cases, [120. pl.7.
 where the hundred extends into two or more parishes, *id. s.6.—119.*
 where there are extra-parochial places,
 annexing same to adjoining parish,
 justices at petty sessions may do so, when, *id. s.7.—120. pl.8.*
 order for copy of, when, on whom, and how served, *id. ibid.*
 unites same to parish for this act, *id. ibid.*
 duty of churchwardens, &c. on, *id. ibid.*

Lists made by churchwardens, &c.

whose names to contain, *id. s.4.—119. pl.5., id. s.8.—120. pl.9.*
 to be arranged in alphabetical order, *id. s.8.—120. pl.9.*
 what to state, and form of, *id. ibid.*
 affixing copies of, to church door, when, *id. s.9.—120. pl.10.*
 on what *Sundays*, and how often, *id. ibid.*
 notice of time to object to, to be inserted at foot, *id. ibid.*
 objections to, when, where, and how made and heard, *id. ibid.*
 open to inspection, by whom and when, *id. ibid.*
 to be printed, at whose expence, *id. ibid.*
 correction of, after wrongful insertion or omission, *id. ibid.* [pl.46.
 convicting justice to certify conviction, to whom, *id. s.45.—124.*
 clerk of peace to rectify error, *id. ibid.* [*ibid.*
 to give notice thereof to under-sheriff to correct jurors' book, *id.*
 to be produced at petty sessions, *id. s.10.—120. pl.11.*
 churchwardens, &c. examined there on oath, *id. ibid.*
 how amended there, *id. ibid.*
 omissions of names not supplied, except, when, *id. ibid.*
 errors of description not amended, except when, *id. ibid.*
 to be allowed and signed, by whom, *id. ibid.*
 to be delivered to high constable, *id. ibid.*
 to be delivered to sessions, when, *id. ibid.*
 clerk of peace to keep such lists, *id. s.12.—120. pl.13.*
 to arrange them alphabetically, *id. ibid.*
 shall cause them to be fairly copied in a book, *id. ibid.*
 form of register, *id. ibid.*
 book called "*The Jurors' Book.*"

Jurors' book,

how made, *id. s.12.—120. pl.13.*
 by whom delivered to sheriff, *id. ibid.*
 transferred from one sheriff to his successor, *id. ibid.*
 to be brought into use, when, and how long in force, *id. ibid.*
ven. fac. and jury precepts,
 to be returned from, *id. s.14.—121. pl.15.*
 coroners, elisors, and others may inspect, when, *id. ibid.*
 none in existence for current year, jury returned from former year, *id. ib.*
 errors in, how corrected, *id. s.45.—125. pl.46.*
 penalty for not preparing, *id. s.46.—125. pl.47.*
 altering of, penalty, *id. s.46.—125. pl.47.*

Special petty sessions in *Eng.* and *Wa.*,

purposes for which held, *id. s.7.—120. pl.8.*
 at what time of year holden, *id. s.10.—120. pl.11.*
 notice of time and place of holding, how given, *id. ibid.*
 lists to be produced at, by whom, *id. ibid.*
 churchwardens, &c. to answer on oath at, when, *id. ibid.*
 may amend the lists, how, *id. ibid.*
 may direct what persons to have notice of proceedings, *id. ibid.*
 adjournment in case of, *id. ibid.*
 list to be allowed at, and signed, *id. ibid.*
 may inspect duplicate of tax-assessment, *id. s.11.—120. pl.12.*
 also any poor rate, *id. ibid.*

Issues to be tried by jurors qualified as before; The jury process, and return of jurors; Record of appearance and service; Summons; View; Division into two sets; Striking of jury; Challenge; Tales; and In case of trials for high treason:

Issues, &c. which persons qualified as before mentioned may try, in *Eng.*,

those joined in the courts at *Westminster*, 6 G.4. c.50. s.1.—119. pl.2.
 in civil and criminal courts of the counties palatine, *id. ibid.*
 in courts of assize, and *nisi prius*, *id. ibid.*
 in courts of oyer and terminer and gaol delivery, *id. ibid.*
 if triable in county where juror resides, *id. ibid.*
 in the courts of sessions of the peace, when, *id. ibid.*

in *Wa.*,

issues which persons so qualified may try,
 those joined in the courts of great sessions, *id. ibid.*
 in the courts of sessions of the peace, *id. ibid.*

JURY—*continued.*

Jury process;

the *venire facias juratores*,
 awarded of the body of the county, 6 G.4. c.50. s.13.—120. pl.14.
 hundredor not to be returned upon, *id. ibid.*
 so if for trial of any civil or criminal issue, *id. ibid.*
 so if for trial of any issue on a penal statute, *id. ibid.*
 if joined in what courts of *Eng.* or *Wa.*, *id. ibid.*
 whose names only returned upon, *id. s.14.—121. pl.15.*
 return of, for the trial of issues at assizes or *nisi prius* in *Eng.*,
 not within the counties palatine, (See s.17. pl.18.)
 panel to be annexed, *id. s.15.—121. pl.16.*
 exception for trials at bar or special juries, *id. ibid.*
 to contain what names, and how arranged, *id. ibid.*
 same names inserted in every panel for each *ven. fac.*, *id. ibid.*
 number of names inserted in, *id. ibid.*
 judge may increase or lessen same, how, *id. ibid.*
 what to state where jurors made into two sets, *id. s.22.—122. pl.3.*
 amendment or enlarging of, by what courts, *id. s.20.—121. pl.21.*

fee for, *id. s.15.—121. pl.16.* [pl.26.

no longer time than given for than heretofore, *id. s.25.—122.*

the *venire facias de novo*,

plaintiff intitled to, when, *id. s.16.—121. pl.17.*
 defendants so entitled in *quare impedit* or *replevin*, *id. ibid.*
 exception in case of a view, *id. ibid.*

what to command, *id. ibid.* [ibid.

on return of, *habeas corpus* or *distringas*, with a *nisi prius*, may go, *id.*
 fees payable thereon, *id. ibid.*

trial to be had as if no former *venire*, *id. ibid.*

suable *toties quoties* as the case requires, *id. ibid.*

the *venire facias* by proviso,

defendant or tenant may have, when, *id. s.16.—121. pl.17.*
 must sue it out of the issuable term preceding trial, *id. ibid.*
 may prosecute the same by *habeas corpus* or *distringas*, *id. ibid.*
 trial to be had as if no former *venire*, *id. ibid.*
 suable *toties quoties* as the case requires, *id. ibid.*

precepts for the return of jurors,

awarded of the body of the county, *id. s.13.—120. pl.14.*
 hundredors not to be returned upon, *id. ibid.*
 before the courts of oyer &c. and gaol delivery, *id. ibid.*
 the superior criminal courts of the counties palatine, *id. ibid.*
 the courts of sessions of the peace in *Eng.* or *Wa.*, *id. ibid.*
 the courts of great sessions, *id. ibid.*
 names of what persons only returned upon, *id. s.14.—121. pl.15.*
 returns of, no longer time given for than heretofore, *id. s.25.—122. pl.26.*

the *habeas corpora* and *distringas*,

returns to,
 names of jurors not inserted in, *id. s.5.—121. pl.16.*
 what words inserted in lieu, *id. ibid.*
 panels to be annexed containing jurors' names, *id. ibid.*
 persons named in, only to be summoned, *id. ibid.*
 fee for, *id. ibid.*
 no longer time allowed for than formerly, *id. s.25.—122. pl.26.*

Return of jurors in particular cases,

for trial of causes in the superior courts of the counties palatine,
 sheriff to summon qualified persons, *id. s.17.—121. pl.18.*
 when to summon such persons, *id. ibid.*
 how many persons to be so summoned, *id. ibid.*
 direction of judge not required, *id. ibid.*
 lists of persons so summoned,
 to be returned, when, *id. ibid.*
 names of persons returned in, to be inserted in the panels annexed
 to jury process, *id. ibid.*
 proviso in case of special juries, *id. ibid.*
 for the trial of causes in the courts of great sessions in *Wa.*,
 sheriff, &c. to summon qualified persons, *id. s.18.—121. pl.19.*
 to do so without direction of judge, *id. ibid.*
 when to summon such persons, *id. ibid.*
 how many persons to be so summoned, *id. ibid.*
 number may be encreased or diminished by judge, how, *id. ibid.*
 by rule of court, or order of a judge in vacation, *id. ibid.*
 lists of persons so summoned, when returned, *id. ibid.*
 names of persons returned on to be inserted in the panels annexed
 to jury process, *id. ibid.*
 exception where a special jury is struck, *id. ibid.*
 lists of the names of jurors contained in the panels annexed to the *ven. fac.*,
 or summoned in *Wa.* or the counties palatine,
 by whom made out, and how, *id. s.9.—121. pl.20.*
 to be kept in office of under-sheriff seven days before sitting of the
 court, *id. ibid.*
 open to inspection of the parties to any cause, or their attornies, *id. ibid.*
 no fee payable for such inspection, *id. ibid.*

JURY — continued.

Return of jurors in particular cases,
 issuing of any writ or precept, or making award or order, orally or otherwise for,
 power of court of K. B. herein, 6 G. 4. c. 50. s. 20.—121. pl. 21.
 of court of *oyer*, &c. and gaol delivery, *id. ibid.*
 of the superior criminal courts of the counties palatine, *id. ibid.*
 of the sessions of the peace in *Eng.* or *Wa.*, *id. ibid.*
 of the courts of great sessions in *Wa.*, *id. ibid.*
 returns to writs, &c. so issued,
 to be made as heretofore accustomed in such suits, *ids ibid.*
 exception for not returning hundredors, *id. ibid.*

Return of persons to serve on juries in general,
 by sheriff or other minister, [—124. pl. 40.
 officer indemnified, although party not qualified, when, *id. s. 39.*
 fine where return made of person not named in jurors' book, *id. ibid.*
 exception, *id. ibid.*

Record of appearance of jurors summoned,
 fine on officer entering it, if false, *id. s. 39.*—124. pl. 40.

Services of persons attending as jurors,
 at session of *nisi prius*, or gaol delivery, in *Middlesex*,
 what service as a juror before discharges of, *id. s. 42.*—124. pl. 43.
 before courts of assize, *nisi prius*, *oyer*, &c. or of the counties palatine,
 or of great sessions,
 what service as a juror, discharges from,
 in *Wa.*, *id. s. 42.*—124. pl. 43.
 in *Hereford*, *Cambridge*, *Huntingdon*, or *Rutland* shires, *id. ibid.*
 in the county of *York*, *id. ibid.*
 in any other county, *id. ibid.*
 sheriff offending herein, penalty, *id. ibid.*
 grand jury and special jury excepted, *id. ibid.*

at the sessions of the peace,
 what services discharges from,
 in *Wa.*, *id. ibid.*
 in such other counties, *id. ibid.*
 in any other counties, *id. ibid.*
 sheriffs, &c. offending herein, fine on, *id. ibid.*
 grand jury and special jury excepted, *id. ibid.* [sessions,
 before courts of assize, *nisi prius*, *oyer*, &c. the counties palatine, or great
 registry of, how, and by whom made, *id. s. 40.*—123. pl. 41.
 in what courts to be made, *id. ibid.*
 certificate of, to be given to juror before he departs, *id. ibid.*
 who to give and to apply for it, *id. ibid.*
 what to testify, and fee for, *id. ibid.*
 grand or special jurors excepted herefrom, *id. ibid.*

at the sessions of the peace in *Eng.* or *Wa.*
 lists of persons summoned upon grand or petty jury,
 clerk of the peace to make out, *id. s. 41.*—124. pl. 42.
 what to state, *id. ibid.*
 to be transmitted to sheriff, &c. at close of sessions, *id. ibid.*
 duty of sheriff, &c. on receipt thereof, *id. ibid.*
 certificate of service at,
 by whom, and when to be granted, *id. ibid.*
 what to testify, and fee, *id. ibid.*

Summons to persons to serve on juries,
 when, and how made, *id. s. 25.*—122. pl. 26.
 how in case of juror's absence, *id. ibid.*
 in *London* or *Middlesex*, *id. ibid.* [process, *id. ibid.*
 where there are not 10 days between award and return of the jury

View,
 in what cases allowed, *id. s. 23.*—122. pl. 24.
 power of court, or judge in vacation, to allow, *id. ibid.*
 rule for, to contain the usual terms, *id. ibid.*
 to require a deposit of funds to answer expences, when, *id. ibid.*
 with whom money deposited, *id. ibid.*
 special writs of *ven. fac.*, *distringas*, or *habeas corpora*, to issue, *id. ibid.*
 what to command, *id. ibid.*
 sheriff to make a special return to, *id. ibid.*
 to certify that view had been had, *id. ibid.*
 to specify names of viewers, *id. ibid.*

persons to shew place to the jurors,
 how many, and by whom selected, *id. ibid.*

jurors to make view,
 to be mutually consented to by the parties, *id. ibid.*
 how nominated in case of disagreement, *id. ibid.*
 to be first sworn on trial of the issue, *id. s. 24.*—122. pl. 25.
 how many jurors may be added to, *id. ibid.*
 where the jurors are divided into two sets, under s. 22. pl. 23.
 case to be tried during attendance of the sets to which viewers belong,
id. s. 22. pl. 23.
 party to apply to judge to make order for, *id. ibid.*

Division of jurors into two sets,
 in what cases allowed, *id. s. 22.*—122. pl. 23.
 how many persons summoned and impanelled in case of, *id. ibid.*
 jurors to serve on criminal or civil side, *id. ibid.*
 power of judges or justices herein, *id. ibid.*

JURY — continued.

Division into two sets,
 first set,
 time and length of attendance of, 6 G. 4. c. 50. s. 22.—122. pl. 23.
 by whom, and when pointed out, *id. ibid.*
 jury on civil side, when taken from, *id. ibid.*

second set,
 time of attendance of, *id. ibid.*
 jury on civil side, taken from, when, *id. ibid.* [*id. ibid.*
 summons to jurors of each set, to specify to which set juror belongs,
 also the time of his attendance, *id. ibid.*
 panel annexed to returns of *ven. fac.*, &c.
 what to state, *id. ibid.*
 view, proviso in case of, *id. ibid.*

Striking of the jury out of the jurors returned,
 in courts of assize, or *nisi prius*, or in the civil courts of the counties
 palatine, or great sessions in *Wa.*,
 persons selected by lot, how, *id. s. 26.*—122. pl. 27.
 how supplied in case of challenge or non-appearance, *id. ibid.*
 persons so selected being sworn, are the jury, *id. ibid.*
 names of such persons returned to the box, when verdict returned,
 or jury discharged, *id. ibid.*
 same process to be observed in each issue, *id. ibid.*
 proviso when former jury has not returned a verdict, *id. ibid.*
 proviso for trying new issue with the same jury, when, *id. ibid.*

Challenge,
 for default of hundredors taken away, *id. s. 13.*—120. pl. 14.
 want of qualification, is ground for, *id. s. 27.*—122. pl. 28.
 freehold, want of, no ground for, when, *id. ibid.*
 so in case of the crown, or by the party, *id. ibid.*
 exception for special jurors, *id. ibid.*

to the panel,
 absence of a knight, no ground of, *id. s. 28.*—122. pl. 29.
 array not to be quashed by reason of, *id. ibid.*
 where the king is party,
 by the king,
 cause must be assigned, *id. s. 29.*—122. pl. 30.
 truth of, how enquired of, *id. ibid.*

peremptory, above twenty,
 taken away in arraignment for murder or felony, *id. s. 29.*—122. pl. 30.

Tales de circumstantibus,
 appointment of, to make a jury,
 in what courts allowed, 6 G. 4. c. 50. s. 37.—123. pl. 38.
 made upon request for the king, how, *id. ibid.*
 or by the parties or their attornies, *id. ibid.*
 in what suits allowed, *id. ibid.*
 men returned upon, how qualified, *id. ibid.*
 by whom returned, *id. ibid.*
 how qualified in cases of special jurors, *id. ibid.*
 challenges to, allowed as in other cases, *id. ibid.*
 trials by, good as in other cases, *id. ibid.*

In case of indictments for high treason, or misprision of treason,
 in courts other than court of K. B.,
 list of petit jury, when to be given, *id. s. 21.*—121. pl. 22.
 what to state, *id. ibid.*
 furnished at same time, as copy of indictment, *id. ibid.*
 to be furnished in the presence of two witnesses, *id. ibid.*

in the court of K. B.
 list of petit jury, when to be delivered, *id. ibid.*
 copy of indictment delivered, when, *id. ibid.*
 this not to extend to indictments for treason,
 in compassing the death of the king, *id. ibid.*
 in counterfeiting the coin, *id. ibid.*
 the great or privy seal, sign manual, or privy signet, *id. ibid.*
 for what other treasons, *id. ibid.*

Special jury:
 Order for striking of,
 by the courts of *Westminster*, 6 G. 4. c. 50. s. 30.—122, 123. pl. 31.
 by the judges in the counties palatine, *id. ibid.*
 by the courts of great sessions in *Wa.*,
 made on motion on behalf,
 of the king, *id. ibid.*
 of a prosecutor or relator, *id. ibid.*
 of a plaintiff or demandant, *id. ibid.*
 of a defendant or tenant, *id. ibid.*

In what causes civil or criminal, or on a penal statute, *id. ibid.*
 exception for indictments in treason or felony, *id. ibid.*

Qualification to serve on,
 in the counties of *Eng.* and *Wa.*, *id. s. 31.*—123. pl. 32.
 in county of the city of *London*, *id. ibid.*

The special juror's list,
 formed from freeholders' book, *id. s. 31.*—123. pl. 32.
 by whom, how, and when, *id. ibid.*
 names in, how numbered, *id. ibid.*
 number affixed to, written on cards, and placed within a box, *id. ibid.*

JURY — *Special jury — continued.*

Striking of,
 officer to appoint a time and place for, 6 G.4. c.50. s.32.—123. pl.33.
 rule for, and appointment,
 to be served on the under-sheriff in the counties, *id. ibid.*
 the secondary in *London*, *id. ibid.*
 all the parties, *id. ibid.*
 manner of, *id. ibid.*
 to be in presence of the parties, &c. their attorneys, or in their absence, *[id. ibid.]*
 objection to juror, made at time for drawing his name, *id. ibid.*
 made good and proved, how, *id. ibid.*
 valid, juror set aside, and another drawn, *id. ibid.* *[id. ibid.]*
 where 48 names cannot be procured from the special jurors' list,
 under this act,
 in the counties, or *London*, *id. s.32.—125. pl.33.*
 who to bring in the list, *id. ibid.*
 in a county of a city, except *London*,
 who to bring in list, *id. s.36.—123. pl.37.*
 rule to command them so to do, *id. ibid.*
 under the accustomed method,
 allowed on what consent, *id. s.33.—123. pl.34.*
 consent to, how signed, *id. ibid.*
 communicated to proper officer, *id. ibid.*
 lists of persons struck, given to the parties, *id. s.32.—132. pl.33.*
 Summons,
 when, and how made, *id. s.25.—122. pl.26.*
 in *London* and *Middlesex*, *id. ibid.* *[process, id. ibid.]*
 where there are not 10 days between award and return of the jury
 Challenge, (See *ante*, this tit.)
 want of freehold, how far ground for, *id. s.27.—122. pl.28.*
 to be made at time of striking, *id. s.32.—123. pl.33., ed. qu.*
 Former laws regarding,
 in force for reducing the list, *id. s.32.—123. pl.33.*
 for what other matters, *id. ibid.*
 Costs occasioned by,
 who to pay, *id. s.34.—123. pl.35.*
 how far allowed upon taxation, *id. ibid.*
 power of judge to certify, *id. ibid.*
 Fees payable on,
 what, *id. s.32.—123. pl.34.*
 by whom paid, *id. s.34.—123. pl.35.*
 what due to a special juror, *id. s.35.—123. pl.36.*
 where a view is allowed, *id. ibid.*
 One special jury may try several causes, *id. s.33.—123. pl.34.*
 what consent necessary, *id. ibid.* *[how, id. ibid.]*
 Jurors may be discharged after serving upon one special jury, when, and
Local jurisdictions; Juries de medietate lingue:
 Jurors in local jurisdictions,
 need not be qualified under this act, *id. s.50.—125. pl.51.*
 regulations for procuring lists in, do not extend to, *id. ibid.*
 juries in, prepared in accustomed manner, *id. ibid.*
 The city of *London*,
 jurors from, for trial of issues in the courts at *Westminster*, or at the
 sessions of oyer, &c. or of the peace for such city,
 qualification of, *id. ibid.*
 lists of persons so qualified, how made out, *id. ibid.*
 shops, counting-house, office, &c. deemed places of abode, *id. ibid.*
 fines on jurymen, talesmen, or viewers in,
 by what courts and for what defaults imposed, *id. s.51.—125. pl.52.*
 Any county, city, or place,
 jurors for trial of capital offences in,
 qualification of, *id. ibid.*
 want of qualification may be alleged as challenge, *id. ibid.*
 challenge deemed a principal challenge, *id. ibid.*
 party challenged may be examined on oath, *id. ibid.*
 Juries before coroners, &c. *id. s.52.—125. pl.53.*
 Juries in courts of record within *London*, or any other liberty, &c.
 persons summoned to serve on,
 defaulting, penalty, *id. s.54.—126. pl.55.*
 default, how proved, *id. ibid.*
 amount of penalty in discretion of court, *id. ibid.*
 penalty how levied, if not paid, *id. ibid.*
 power of court herein, *id. ibid.*
 overplus of, how disposed of, *id. ibid.*
 how applied, *id. ibid.*
 As to recovery of fines, see FINES AND AMERCIAMENTS.
Jury de medietate lingue,
 aliens entitled to, when, *id. s.47.—125. pl.48.*
 sheriff to return one half of jury aliens, *id. ibid.*
 aliens, from what place to come, *id. ibid.*
 not challenged for want of qualification, *id. ibid.*
 other grounds of challenge allowed, *id. ibid.*
Fines and penalties under this act:
 Fines imposable for neglect of duty under this act,
 on clerks of peace, see *ante. id. s.46.—125. pl.47.*
 on high constables of hundreds, *id. s.44.—125. pl.45.*

JURY — *Fines, &c. under this act — continued.*

Fines imposable for neglect of duty,
 on churchwardens and overseers, 6 G.4. c.50. s.45.—125. pl.46.
 on sheriffs, coroners, elisors, bailiffs, &c. *[pl.44.]*
 for taking money to excuse any man from serving, *id. s.43.—125.*
 for not summoning any man, *id. ibid.*
 summoning a man wrongfully, *id. ibid.*
 summoning a man less than ten days before appearance, *id. ibid.*
 so, if a special juror less than three days, *id. ibid.*
 exception, *id. ibid.*
 by what courts imposed, *id. ibid.*
 on sheriff or under-sheriff in a county, or sheriff or secondary in *London*,
 for refusing to prepare list of special jurors, *id. s.46.—125. pl.87.*
 for wrongfully omitting or inserting any name, *id. ibid.*
 not writing their names on cards, *id. ibid.*
 for subtracting, destroying, or losing such cards, *id. ibid.*
 for not replacing, and how soon, *id. ibid.*
 on any sheriff or under-sheriff of a county,
 for altering jurors' book; exception, *id. ibid.*
 for not keeping for inspection a copy of the panel, *id. ibid.*
 for not registering services of jurors, *id. ibid.*
 for not delivering a certificate of service on demand, *id. ibid.*
 for not delivering what documents to his successor, *id. ibid.*
 on jurymen,
 for non-appearance after summons, *id. s.38.—123, 124. pl.39.*
 for not answering on being called, *id. ibid.*
 for being present, and not appearing on being called, *id. ibid.*
 so if a talesman, *id. ibid.*
 for withdrawing from court after appearance, *id. ibid.*
 how imposed, and parties convicted, *id. ibid.*
 being viewers,
 amount of, *id. ibid.*
 summoned to attend any kind of jury in *London*,
 by what courts, and for what default imposed, *id. s.51.—125. pl.52.*
 summoned to attend on inquest before any sheriff, coroner, or commis-
 sioners, in s.52. pl.53. mentioned,
 for not appearing on being called, *id. s.53.—125. pl.54.*
 certificate of default to be made out, how, *id. ibid.*
 what to contain, *id. ibid.*
 transmitted to whom, and when, *id. ibid.*
 copied into roll of fines, *id. ibid.* (See FINES AND AMERCIAMENTS.)
 how levied, *id. ibid.*
 on clerks of justices at petty sessions,
 for not giving notice of such sessions, to whom, *id. s.46.—124. pl.47.*
 how recoverable, *id. s.46.—125. pl.47.*
 when imposed by the courts at *Westminster*, *id. s.55.—126. pl.56.*
 by the courts of the counties palatine, *id. ibid.*
 by courts of assize, nisi prius, oyer, &c. *id. ibid.*
 by sessions of the peace, *id. ibid.*
 by sessions of the peace in great sessions in *Wa.*, *id. ibid.*
 Penalties hereby created,
 conviction, and before what justice had, *id. s.55.—126. pl.56.*
 form of, *id. s.56.—126. pl.57.*
 not to be quashed for want of form, *id. s.57.—128. pl.58.*
 not removable by certiorari, &c. *id. ibid.*
 levying same by distress and sale,
 when allowed, *id. s.55.—126. pl.56.*
 warrant of distress, by whom and how granted, *id. ibid.*
 no distress, offender how punished, *id. ibid.*
 parties doing so, not trespassers, when, *id. s.57.—126. pl.58.*
 action for special damage occasioned by, *id. ibid.*
 notice of, *id. ibid.*
 tender of amends on, *id. ibid.*
 witnesses may be examined on oath, *id. s.55.—126. pl.56.*
 mitigation of, and application of, *id. ibid.*
Miscellaneous:
 Actions for things done under this act,
 general issue, evidence, double costs, *id. s.58.—126. pl.59.*
 certificate to deprive plaintiff of costs, *id. ibid.*
 venue, limitation, notice, *id. s.59.—126. pl.60.*
 attain, writ of, taken away, *id. s.60.—126. pl.61.*
 inquests to inquire of concealment of other inquests, taken away, *id. ibid.*
 embracery, how prevented and punished, *id. s.61.—126. pl.63.*
 acts hereby repealed, *id. s.62.—126, 127. pl.63.*
 not repealed, *id. s.63.—127. pl.64.*
 practice of judges and courts in respect to juries,
 how far protected, *id. s.64.—127. pl.65.*
 commencement of this act, *id. s.62.—126. pl.63.*
JUSTICES OF ASSIZE. (*pages 128, 129.*)
 Commissions under which the judges sit upon their circuits,
 may be opened the day following day appointed, 3 G.4. c.10. s.1.—128.
 pl.2.
 in whose presence so opened, &c. *id. ibid.*
 proviso in case such day is a day of public rest, *id. ibid.*
 proviso directing records, &c. to be made up, as if commission opened
 on the very day appointed, *id. ibid.*

JUSTICES OF ASSIZE — *continued.*

Commissions under which the judges sit, must be opened, &c. on day appointed, except in what events, 3 G.4. c.10. s.1.—128. pl.2.
not so done, fact certified to chancellor, by whom, *id.* s.2.—129. pl.3.
reason why delayed to be stated, *id. ibid.*
Acts relating to, repealed,
The 13 Ed.1. c.30. by 6 G.4. c.50. s.62.—126. pl.63.
20 Ed.3. c.6. by *id. ibid.*
7 R.2. c.7. by *id. ibid.*

JUSTICES OF PEACE. (*pages 129, 130.*)*Summary proceedings,*

Before justices of the peace, deputy lieutenants, and others, conviction,
form of, where none other given, 3 G.4. c.23. s.1.—129. pl.2.
in cases where two or more justices, &c. are required,
one may receive the information, &c. *id.* s.2.—129. pl.3.
may issue summons or warrant for party to appear, *id. ibid.*
may enforce adjudication, &c. of the two justices, &c. *id. ibid.*
such one may be one of the two making adjudication, or any other for the same county, &c. *id. ibid.*
where one receives the information, and others proceed in it, conviction to state the fact, *id. ibid.*
Vacating or setting aside convictions for defect of form,
not allowed after confirmation on appeal, when, *id.* s.3.—129. pl.4.
nor where appeals are given, and none made, *id. ibid.*
conviction in such case, how construed, *id. ibid.*
Scotland not affected hereby, *id.* s.4.—129. pl.5.

Justices of the quorum in cities or towns corporate:

acts of, in cities, &c. where only one, two, or more are of the quorum, how far valid, 4 G.4. c.27.—129. pl.7.
so whether done in or out of sessions, &c. *id. ibid.*
so if none of such justices are of the quorum, *id. ibid.*
this act amends 7 G.3. c.21. [*Stat. Dig.* this tit. pl.103.] *id. ibid.*

Recovery of penalties before:

where default is made in payment of the penalty on conviction, detention of offender until warrant of distress returned, allowed, when, 5 G.4. c.18. s.1.—129, 130. pl.9.
exception, in case what security is given, *id. ibid.*
security to be for offender's appearance, *id. ibid.*
appearance, when to take place, *id. ibid.*
security to be by way of recognizance, *id. ibid.*
commitment of offender without issuing distress warrant, when allowed, *id. ibid.* [penalty, or offender confesses same,
where after warrant issued, no goods are found whereon to levy the justice to proceed as if distress warrant issued, and returned *nulla bona*, *id.* s.2.—130. pl.10.
may commit offender for how long, *id. ibid.*
to state amount of costs in warrant, *id. ibid.*
where payment is made to gaoler after commitment, offender to be forthwith discharged, *id.* s.3.—130. pl.11.
where it appears to justice that levying penalty by distress would be injurious to offender,
justice may withhold distress warrant, *id.* s.4.—130. pl.2.
to commit offender immediately on conviction, *id. ibid.*
consent in writing of offender first obtained, *id. ibid.*
this not to extend to Scotland, *id.* s.5.—130. pl.13.

Execution of justice's warrants by constables:

constable, headborough, or peace-officer, [c.18. s.5.—130. pl.14.
recital of inability to execute warrant without their precincts, 5 G.4.
may execute warrant within what limits, *id. ibid.*

Former acts amended:

the 3 G.3. c.55. [*Stat. Dig.* pl.127.] by 4 G.4 c.29. s.1.—6. pl.2.

K.

KING AND ROYAL FAMILY.

The sovereign's power to grant, sell, give, or devise lands, &c. under 39 & 40 G.3. c.88. extended to lands, &c. whereof he or his trustees were seised and possessed, and might have legally granted at his accession, 4 G.4. c.18.—131. pl.2. [See CORPORATION.
Power of, in reference to charters of incorporation, 6 G.4. c.91. s.2.—52. pl.3.
Servants of, exempted from serving on juries, 6 G.4. c.50. s.2.—119. pl.3.
See JURY.

L.

LABOURERS, SERVANTS, &c. (*pages 131—135.*) See COMBINATIONS.*Disputes between masters and servants:*

Where there is a contract for service in writing, for not commencing service pursuant thereto, power of justice, 4 G.4. c.34. s.3.—131. pl.3.
to what servants this extends, *id. ibid.*

LABOURERS, SERVANTS, &c. — *Disputes — continued.*

Where servant has entered on his service, and whether contract in writing or not, [—131. pl.3.
for being absent from service before term completed, 4 G.4. c.34. s.3.
for neglecting to fulfil his contract, *id. ibid.*
for misconduct, or being guilty of a misdemeanor, *id. ibid.*
power of justice herein, *id. ibid.*
to what servants this extends, *id. ibid.*
Justice may issue warrant to apprehend offender, *id. ibid.*
complaint before to be made on oath, *id. ibid.*
to be made by master, his steward, or manager, *id. ibid.*
to examine into matter of complaint, *id. ibid.*
may commit the offender when, and for how long, and where, *id. ibid.*
may order his wages to be stopped, *id. ibid.*
may discharge offender from his contract, *id. ibid.*
discharge to be under hand and seal of justice, *id. ibid.*
to be given *gratis*, *id. ibid.*
proviso for jurisdiction of chamberlain of London, *id.* s.6.—131. pl.6.
Adjustment of, by arbitration, in any part of U. K.
what disputes may be so adjusted, 5 G.4. c.96. s.2.—131. pl.9.
limitation of time for making complaint,
in case of bad materials, three weeks, *id. ibid.*
in any other case, six days, *id. ibid.*
after work has been taken home and received, *id.* s.20.—133. pl.27.
where the parties agree in writing to submit the case to, one or more before a justice of the county, &c. where they reside,
justice may hear and determine same, *id.* s.3.—132. pl.10.
may finally decide in a summary way, *id. ibid.*
where the parties do not so agree, or come before a justice,
complaint to be made to a justice, *id. ibid.*
justice to examine complainant as to what facts, *id. ibid.*
to prove application to settle dispute and refusal, *id. ibid.*
to prove what, in case of a bad warp, *id. ibid.*
justice to summon party complained of, *id. ibid.*
to give notice to complainant of time and place of appearance, *id. ibid.*
when the parties agree to arrange the matter in dispute in a mode different hereto,
agreement valid, *id.* s.13.—133. pl.20.
award final and conclusive, *id. ibid.*
may be enforced, how, *id. ibid.*
power of justice herein, *id. ibid.* [partnership,
where work is delivered by an agent, or two or more persons are in agent or partner may be proceeded against, *id.* s.14.—133. pl.21.
shall obey the award made thereon, *id. ibid.*
also the order of justices respecting the matter in dispute, *id. ibid.*
liable to what proceedings for disobedience, *id. ibid.*
where the master becomes bankrupt, or assigns over his effects, who liable to proceedings under this act, *id.* s.16.—133. pl.23.
who to perform award, *id. ibid.*
orders of justices herein, how obeyed, *id. ibid.*
award or order not obeyed, how to proceed, *id. ibid.*
sums payable only out of master's estate, *id. ibid.*
where the complainant against the master, &c. is a married woman, or infant under twenty-one years,
proceedings in whose name had, *id.* s.17.—133. pl.24. [three days,
where the arbitrators cannot agree, or shall not make their award within how to proceed, *id.* s.10.—133. pl.17.
power of justices herein, *id. ibid.*
how soon to settle dispute, *id. ibid.*
judgment final, *id. ibid.*
where either one or both arbitrators, after summons, neglect to go before justice, *id.* s.11.—133. pl.18.
appointment of arbitrators or referees,
by justice, *id.* s.3.—132. pl.10.
by master and workman disputing, *id. ibid.*
must be of persons residing near, *id. ibid.*
certificate of, by whom and when made, *id.* s.5.—132. pl.12.
form of, *id. ibid.*
in case of delay to accept or refuse same,
justice to name other persons, when, *id.* s.4.—132. pl.11.
persons so named,
how soon, and where to meet, *id. ibid.*
expence of nomination of, by whom paid, *id. ibid.*
certificate of appointment of, by whom made, *id. ibid.*
form of, *id.* s.5.—132. pl.12. [pl.11.
not attending, other arbitrator may proceed alone, *id.* s.4.—132.
his award conclusive, *id. ibid.*
complainant or defendant not attending at time of,
how to proceed, and power of justice, *id.* s.7.—132. pl.14.
place and time of meeting,
appointment of, justice to make, *id.* s.5.—132. pl.12.
notice of, by and to whom given, *id. ibid.*
certificate of, by whom made; form, *id. ibid.*
where in case dispute concerns bad warp, *id.* s.6.—132. pl.13.
where if it concerns bad utensils, *id. ibid.*
where in other cases, *id. ibid.*

LABOURERS, SERVANTS, &c. — *Disputes — continued.*

Arbitration—place and time for arbitrators to meet:

- complainant not attending by himself or agent,
- how to proceed, and power of justice, 5 G.4. c.96. s.7.—132. pl.14.
- hearing and deciding upon dispute,
- to take place where, *id.* s.8.—132. pl.15.
- by what evidence guided, *id.* *ibid.*
- to take place how soon after appointment, *id.* s.5.—132. pl.12.

Witnesses,

- arbitrators may swear, *id.* s.8.—132. pl.15.
- summons for appearance of,
- issued on request in writing, *id.* s.9.—132. pl.16.
- who may issue same, *id.* *ibid.*
- not obeying same, how punished, *id.* *ibid.*
- form of warrant of commitment for, *id.* s.27.—134. pl.34.
- service of, *id.* s.9.—132. pl.16.
- appearance, and refusal to be examined, *id.* *ibid.*
- how punished in case dispute decided before they submit, *id.* *ibid.*

Award of such arbitrators,

- to be made on what evidence, *id.* s.8.—132. pl.15.
- final, *id.* *ibid.*, *id.* s.5.—132. pl.12.
- when to be made, *id.* s.5.—132. pl.12.
- or by one of them, final, when, *id.* s.4.—132. pl.11.
- extending time for making, [pl.28.
- lawful, on what endorsed on certificate of appointment, *id.* s.21.
- form of such endorsement, *id.* *ibid.*
- how signed, *id.* *ibid.*
- to be written at foot of certificate of appointment, *id.* s.22.—133. pl.29.
- form of, *id.* *ibid.*
- fulfilment of, acknowledged at foot, *id.* s.23.—133. pl.30.
- form of, *id.* *ibid.*
- neglect so to do, for two days after delivery,
- power of justice on whose complaint, *id.* s.24.—133. pl.31.
- warrant of distress to be signed, *id.* *ibid.*
- form of, *id.* *ibid.*
- on what goods executed, *id.* *ibid.*
- sale under, when to take place, *id.* *ibid.*
- overplus returned, *id.* *ibid.*
- return to, of *nulla bona*, form of, *id.* *ibid.*
- warrant of commitment, in default of distress,
- form of, and when issued, *id.* *ibid.*
- warrant of commitment, when distress warrant withheld,
- allowed, when, *id.* s.25.—133. pl.32.
- form of, *id.* *ibid.*
- persons committed to prison for, [133, 134. pl.33.
- discharged at any time on paying debt and costs, *id.* s.26.—
- power of gaoler herein, *id.* *ibid.*

Proceedings under this act,

- not to be appealed against, *id.* s.28.—134. pl.34.
- no certiorari to remove, *id.* *ibid.*
- not invalid for want of form, *id.* s.29.—134. pl.35.
- fees for, to justice's clerk, *id.* s.30.—134. pl.36.
- to the constable, &c. *id.* *ibid.*

Costs of applications under this act,

- in discretion of the arbitrators, *id.* s.31.—134. pl.37.
- in discretion of the justice, when, *id.* *ibid.*
- how settled, in case the arbitrators cannot agree as to, *id.* *ibid.*
- not allowed to masters, when, *id.* *ibid.*

Actions for things done under this act,

- limitation of, *id.* s.33.—134. pl.39.
- who entitled to benefit of, *id.* *ibid.*
- general issue, evidence, full costs, *id.* s.34.—134. pl.40.

Miscellaneous:

- justices, who not to act as, under this act, *id.* s.12.—133. pl.19.
- authorizing others to act under this act,
- power for, must be in writing, *id.* s.15.—133. pl.22.
- how far allowed, *id.* *ibid.*
- tickets in giving out work, how far evidence, *id.* s.18.—133. pl.25.
- form of, and when to be given, *id.* *ibid.*
- duplicate, by whom to be kept, *id.* s.19.—133. pl.26.
- how far evidence, *id.* *ibid.*
- no stamp duty on, *id.* s.32.—133. pl.38.
- stamps under this act taken away, *id.* *ibid.*
- powers of former acts, how far in force, *id.* s.35.—134. pl.41.
- acts repealed, 6 G.4. c.129. s.2.—46. pl.4. See COMBINATIONS;
- 5 G.4. c.95. s.1.—131. pl.1, 5 G.4. c.96. s.1.—131. pl.8.

Artificers going to foreign parts:

- acts relating to, how far repealed, 5 G.4. c.97.—135. pl.43.

Wages of servants, &c.:

- Wages of servants named in 20 G.2. c.19., and 31 G.2. c.11.
- when complaint has been made to a justice of the non-payment of,
- justice may order same to be paid, when, 4 G.4. c.34. s.5.—131. pl.5.
- not so paid, justice may issue distress warrant, *id.* *ibid.*
- warrant, how executed, *id.* *ibid.*
- orders of justices herein final, *id.* *ibid.*
- proviso for jurisdiction of chamberlain of London, *id.* s.6.—131. pl.6.
- the 20 G.2. c.19. [Stat.Dig. pl.24.] amended 4 G.4. c.34. s.1.—6. pl.6.

LABOURERS, SERVANTS, &c. — *continued.*

Wages of servants or apprentices under 10l.,

- recovery of, where employer is absent and business is directed by a manager,
- servants, &c. to make complaint to justice, *id.* s.4.—131. pl.4.
- to what servants this extends, *id.* *ibid.*
- justice to summon manager, *id.* *ibid.*
- summons of, to state time and place for appearance, *id.* *ibid.*
- to determine matter according to what acts, *id.* *ibid.*
- to order manager to pay such wages, when, *id.* *ibid.*
- manager not obeying order for twenty-one days,
- justice to issue distress warrant, *id.* *ibid.*
- on what goods warrant executed, *id.* *ibid.*
- proviso for jurisdiction of chamberlain of London, *id.* s.6.—131. pl.6.

LACE.

Cutting, &c., 4 G.4. c.46. s.2.—174. pl.13.

LANDLORD AND TENANT.

Remedy in case of bankruptcy of tenant, 6 G.4. c.16. ss.74, 75.—19. pl.96, 97.

LAND-TAX. (pages 135—137.)

Commissioners of land-tax:

- who to be, 4 G.4. c.68. s.1.—135. pl.2.
- mistakes in spelling names not to vitiate, *id.* *ibid.*
- not to subject party to any penalty for acting, *id.* *ibid.*
- must be qualified, according to what acts, *id.* s.2.—135. pl.3.
- in a city, liberty, or place,
- personal estate, when a qualification, *id.* s.3.—135. pl.4.
- indemnity to persons acting as,
- although not properly named, *id.* s.4.—135. pl.5.
- although names omitted in act, when, *id.* *ibid.*
- acts of such persons valid, *id.* *ibid.*
- inspectors or surveyors of assessed taxes, how far admitted to act as, *id.* s.5.—135. pl.6.

Allowances to clerks:

- in respect of expences incurred in reference to land tax assessments,
- power of treasury to make, 6 G.4. c.32. s.8.—137. pl.15.
- to be over and above poundage, *id.* *ibid.*
- expences certified to treasury, how, *id.* *ibid.*
- payment of by receiver general, what authority for, *id.* *ibid.*

Assessments for land-tax in G. B.:

- Excess of money arising by, in any city, parish, district, &c.
- if it amounts to 5l.,
- certificate of, to be made out by commissioners, *id.* s.1.—136. pl.8.
- to be made out before 24th Dec. yearly, *id.* *ibid.*
- to be transmitted to tax-office, by whom, *id.* *ibid.*
- to be laid before the treasury, by whom, *id.* *ibid.*
- how signed, *id.* *ibid.*
- what to contain, *id.* *ibid.*
- where collection for year not closed, and excess not ascertained, *id.* *ib.*
- money arising by, in hand at time of passing act, how dealt with, *id.* *ib.*
- money arising by, to be paid to receiver-general, *id.* *ibid.*
- application, *id.* s.2.—136. pl.9.
- power of treasury herein, *id.* *ibid.*
- warrant of tax-office, sufficient authority, when, *id.* *ibid.*
- receiver-general to pay same to whom, *id.* *ibid.* [passed,
- on assessments made under this, or any other act passed, or to be
- this act applies to, when, *id.* s.6.—136. pl.13.
- levying same if not paid, former acts in force, *id.* s.7.—137. pl.14.
- defaults of collectors in receiving or paying over same, *id.* *ibid.*

Assessment,

- certificate of amount of, charged on any parish, &c.
- commissioners to make, *id.* s.3.—136. pl.10.
- to whom transmitted, *id.* *ibid.* [id. *ibid.*
- to be delivered with warrant of instructions for making assessment,
- to distinguish the proportions redeemed, *id.* *ibid.*
- duplicates of, [pl.11.
- total amount of sum assessed, inserted at foot of, *id.* s.4.—136.
- not to be delivered or signed until same done, *id.* *ibid.*
- when so added, giving any excess beyond sum charged,
- summary to be inserted at foot, *id.* *ibid.*
- form of, *id.* *ibid.*
- clerks of commissioners neglecting their duty herein,
- penalty, *id.* *ibid.*
- how sued for, *id.* *ibid.*

Accounts of the sums received under, or in arrear,

- collector to deliver, on whose request, *id.* s.5.—136. pl.12.
- who authorized to demand, *id.* *ibid.*
- to state sums in his and receiver's hands, *id.* *ibid.*
- collector refusing to deliver for fourteen days; penalty, *id.* *ibid.*

LARCENY.

On navigable river, &c., 4 G.4. c.46. s.2.—174. pl.13.

LEATHER. See HIDES AND SKINS.

LETTERS.

Postage of, by persons in service of H. M., or the E. I. Co., in the East Indies, 4 G.4. c.81. s.73.—69. pl.83. See EAST INDIA COMPANY. (Army).

LEVANT COMPANY. (*pages 137, 138.*)

Governor and company of merchants of Eng. trading to the Levant seas:
 recital of the letters patent conferring certain rights on, 6 G.4. c.33. s.1.
 —137. pl.2.
 rights and privileges of,
 to be surrendered to H. M., *id. ibid.*
 deed of surrender of, enrolled where, *id. ibid.*
 made to cease, *id. ibid.*
 corporation dissolved, *id. ibid.*
 lands, houses, &c. of, within the U. K. or elsewhere,
 vested in H. M. for ever, *id. ibid.*
 public funds, money, goods, and chattels, and personal estate of,
 vested in the treasury, *id. s. 2.—137, 138. pl. 3.*
 what property passes under these words, *id. ibid.*
 power of treasury to recover and dispose of, *id. ibid.*
 produce of, applied in payment of the corporation debts, *id. ibid.*
 overplus carried to what fund, *id. ibid.*
 duties and dues heretofore payable to,
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 acts relating to, repealed, *id. ibid.*
 what they are, *id. ibid.*
 jurisdiction over H. M.'s subjects in the Levant exercised by the consuls
 or officers of such Co.,
 vested in, and exercised by H. M.'s consuls there, *id. s. 4.—138. pl.5.*
 pensions to servants of the Co.,
 power of treasury to grant, *id. s.5.—138. pl.6.*
 on what fund chargeable, *id. ibid.*
 accounts and estimate of, annually laid before parliament, *id. ibid.*

LIBERTIES.

1 W. & M. st.2. c.2. s.1., repealed 6 G.4. c.50. s.62.—126. pl.63.

LIEN.

As between factor and consignee advancing money. See **FACTOR AND MERCHANT.**

LINEN.

Cutting, &c. in process of manufacture linen goods, or linen warp or shute,
 4 G.4. c.46. s.2.—174. pl.13.

LOADMANAGE.

Court of,
 jurisdiction as to pilots not affected by 6 G.3. c.125., *id. s.87.—191.*
 pl.88., see **PILOTAGE**, 183. pl.18. 21. 23.—185. pl.38.

LOCAL JURISDICTIONS.

Justices of the quorum in, 4 G.4. c.27.—129. pl.6. See **JUSTICES OF PEACE.**

Juries in, 6 G.4. c.50. s.50.—125. pl.51.

LONDON. (*page 138.*)

Saving for the gauging of liquor, and articles imported into the city of London,
 and for the duty payable to that city called gauge, 3 G.4. c.41.
 s.9.—258. pl.237.

ASSURANCE COMPANY. See **INSURANCE.**

BREAD. (*page 138.*)

Regulations of sale of bread in London and its vicinity, 3 G.4. c.cvi.—138.

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The 5 H.8. c.5. repealed 6 G.4. c.50. s.62.—126. pl.63.

SEWERS. (*page 138.*)

Consolidation of acts relating to sewers, 4 G.4. c.cxiv.—138.
 relating to paving, lighting, &c. the streets, *id. ibid.*

LOOM.

Destroying; or goods in process of manufacture on. See 4 G.4. c.46. s.2.
 —174. pl.13.

M.

MALICIOUS MISCHIEF. (*pages 138—141.*)

Liability of hundreds, ridings, &c. for damage done to property by rioters, &c. in Eng.

Where the damage sustained does not exceed 30*l.*,
 action not sustainable in the courts of record for such damage where done,
 to any church or chapel, 3 G.4. c.33. s.1.—139. pl.2.
 to any building for religious worship, when, *id. ibid.*
 to any dwelling-house, *id. ibid.*
 to any barn, stable, or outhouse, *id. ibid.*
 to any wind, sawmill, or other windmill, *id. ibid.*
 to any watermill or other mills, *id. ibid.*
 to any works belonging to such mill, *id. ibid.*
 to any works of any trade or manufactory, *id. ibid.*
 to any building in which any goods are deposited, *id. ibid.*
 to any works of any collieries or coal mine, or other mine, *id. ibid.*
 to any bridge way, &c. made for conveyance of such coal, &c. to the
 ship, *id. ibid.*
 to any staith, &c. for depositing coals, or minerals, *id. ibid.*
 to any house, shop, &c. fixtures, or furniture, &c. therein, *id. ibid.*

MALICIOUS MISCHIEF — *Liability of Hundreds, &c. — continued.*

Where the damage sustained does not exceed 30*l.*
 to any cattle, &c. by killing, maiming, &c. 3 G.4. c.33. s.1.—139. pl.2.
 to any trees by cutting down, &c. *id. ibid.*
 by setting fire to any barn, house, hovel, or stack, *id. ibid.*
 by setting fire to or destroying any ricks or thrashing-machines, *id. ibid.*
 recovery of the amount of damage,
 notice by party damnified,
 when, and to whom to be given, *id. s.2.—139. pl.3.*
 form of, *id. ibid.* (*page 141, Sched. A.*)
 service of, *id. ibid.*
 what to state, *id. ibid.* [riding, &c.
 notice by the mayor, magistrate, high constable, &c. of any hundred,
 to be given to the magistrates, *id. ibid.* [—140. pl.4.
 not given, action may be brought in the courts at Westminster, *id. s.3.*
 petty sessions for determining such complaint,
 by whom, and when appointed, *id. s.2.—139. pl.3.*
 notice on the church door of,
 party damnified to affix same, *id. ibid.*
 to state purport thereof, *id. ibid.*
 form of, *id. ibid.* (*page 141. Sched. B.*)
 how to proceed herein, *id. s.4.—140. pl.5.*
 may examine what persons and witnesses, *id. ibid.*
 may adjudge compensation to party grieved, when, with costs, *id. ibid.*
 costs of high constables, &c. allowed by, *id. ibid.*
 damages and costs awarded by sessions,
 how raised or paid, *id. ibid.*
 power of quarter sessions herein, *id. ibid.*
 witnesses may be summoned, how, *id. s.5.—140. pl.6.*
 must be tendered, what reasonable charges, *id. ibid.*
 not appearing, penalty, *id. ibid.*
 appearing, but refusing to be examined, penalty, *id. ibid.*
 penalty, how levied, *id. ibid.*
 warrant to levy, how granted, *id. ibid.*
 how applied, *id. ibid.* [*id. ibid.*
 not paid, and no distress, party committed for how long,
 appeal by party grieved by any thing done in pursuance of this act,
 to what sessions allowed, *id. s.7.—140. pl.8.*
 notice, recognizance, &c., *id. ibid.*
 sessions to hear same on what proof, *id. ibid.*
 finally to determine such appeal, *id. ibid.*
 may award costs to either party, *id. ibid.*
 decision of, final and binding, *id. ibid.*
 distress under this act, [proceedings, *id. s.8.—140. pl.9.*
 not unlawful, or party a trespasser, on account of what defects in the
 so also on account of any subsequent irregularity, *id. ibid.*
 party grieved may bring what action, *id. ibid.*
 tender of amends to, effect of, *id. ibid.*
 conviction under this act, form of, *id. s.9.—141. pl.10.*
 this act not to extend to Ire., *id. s.16.—141. pl.17.*
 Where the damage sustained does exceed 30*l.*
 actions against hundreds, &c. under acts recited in s.1.—139. pl.2.
 defendants in, may suffer judgment by default, *id. s.6.—140. pl.7.*
 what consent they must obtain, *id. ibid.* [*id. ibid.*
 what proof plaintiff must give on executing the writ of inquiry,
 costs of witnesses, what only allowed on taxation, *id. ibid.*
 certificate of sheriff, &c. herein, *id. ibid.*
 Where the damage is done in Scotland by rioters:
 Summary action sustainable against town-clerk, clerk of supply, &c. for
 damage done,
 to any church or chapel, 3 G.4. c.33. s.10.—141. pl.11.
 to any building for religious worship, *id. ibid.*
 to any house, shop, or other building, *id. ibid.*
 to any fixtures, furniture, goods, &c. therein, *id. ibid.*
 full compensation recoverable in, *id. ibid.*
 before whom brought, if sum claimed under 5*l.*, *id. ibid.*
 so if it exceeds that sum, *id. ibid.* [—141. pl.15.
 in whose name brought when damage done to any church, &c. *id. s.14.*
 limitation of, *id. s.15.—141. pl.16.*
 decree in,
 extract of, to be lodged with whom, *id. s.11.—141. pl.12.*
 to be intimated to and by whom, *id. ibid.*
 assessment for payment of money under,
 meeting for, how, when, and by whom called, *id. ibid.*
 who to attend, *id. ibid.*
 on what property and at what rate made,
 when not within any city, &c., *id. ibid.*
 when within any city, &c., *id. ibid.*
 what sums may be added to, *id. s.12.—141. pl.13.*
 sums collected under, to whom paid, *id. ibid.*
 party not paying,
 money levied by poinding and sale, *id. ibid.*
 warrant for poinding, &c. by whom granted, *id. ibid.*
 sale, when to take place, *id. ibid.*
 court of, session, power of, in case of neglect to satisfy decree by
 whom, *id. s.13.—141. pl.14.*

MAN, ISLE OF. (*pages 141, 142.*)

Annuity to Duke of *Athol*, for purchase of duties of customs in *Isle of Man*, 6 G.4. c.34.—141.

Trade of, 142. pl.3. See *NAVIGATION.*

MANSLAUGHTER. (*page 142.*)

Burning in the hand for, taken away, 3 G.4. c.38.—142. tit. *MANSLAUGHTER.* transportation for life or years substituted, *id. ibid.* [*id. ibid.*

or imprisonment, with or without hard labour, for not above three years, or pecuniary fine, *id. ibid.* [*id. ibid.*

effect of such punishment, as to discharge from the same or other felonies,

MANUFACTORY.

Pulling down or damaging, by rioters, See 3 G.4. c.33. s.1. tit. *MALICIOUS*

MANUFACTURES. (*page 142.*)

Seducing artificers in, 5 G.4. c.97.—142. tit. *id.*

Cutting, &c. cotton goods or silk in the process of manufacture, 4 G.4. c.46. s.2.—174. pl.13.

Acts repealed,

those relating to artificers going abroad, 6 G.4. c.97. s.1.—133. pl.42.

those relating to combinations, 6 G.4. c.129. s.2.—46. pl.4. See *COMBINATIONS.*

MARKETS AND FAIRS. (*page 142.*)

Clerk of the market, 5 G.4. c.74. s.23.—142. tit. *id.* pl.1, 2.

MARRIAGE. (*pages 142—146.*)

New Marriage Act, 4 G.4. c.76. amended by 5 G.4. c.32.

repeal of rest of marriage act, 26 G.2. c.33. left unrepealed by 3 G.4. c.75., and of 4 G.4. c.17. from 1st Nov. 1823, 4 G.4. c.76. s.1.—143. pl.21.

Banns,

where, when, and how published, 4 G.4. c.76. s.2.—143. pl.22.

when the parties live in divers parishes or chapelries, *id. ibid.*

marriage by, to be solemnized where banns published, *id. ibid.*

bishop, by consent of patron and incumbent, may authorize publication of banns and solemnization of marriages in any public chapel, *id.* s.3.—143. pl.23.

notice to be fixed in the interior of such chapel, *id.* s.4.—143. pl.24.

provisions relative to marriage-registers extended to such chapels, *id.* s.5.—143. pl.25. [banns, *id.* s.6.—143. pl.26.

books to be provided in churches and chapels for the registration of banns to be published from these books, and signed by the minister, *id. ibid.*

notice of names, place, and time of abode there of parties shall be given to minister seven days before the first publication, *id.* s.7.—143. pl.27. [after banns published, *id.* s.8.—143. pl.28.

how far ministers not punishable for marrying minors without consent publication of banns, when void, *id. ibid.*

where marriage not had within three months after publication completed, republication is necessary, *id.* s.9.—143. pl.29.

parishes having no church or chapel, and extraparochial places having no public chapel, shall be deemed to belong to next adjoining parish or chapel for the purposes of this act, *id.* s.12.—144. pl.32.

and the minister publishing banns in the church, &c. of the next adjoining parish, &c. shall certify the publication as if either party had dwelt in such adjoining parish, *id. ibid.*

where churches are under repair or disused for public service, banns may be proclaimed in the church or chapel of adjoining parish or chapel, *id.* s.13.—144. pl.33.

or in any place within the parish, &c. licensed by the bishop for performance of divine service in, *id. ibid.*

where no such place is licensed, the marriage may be solemnized in the adjoining church, &c. where banns published, *id. ibid.*

marriages heretofore or hereafter solemnized in licensed place within a parish other than the church, or in the church or chapel of the adjoining parish, &c. on account of repairs, &c. of the parish church, shall not be questioned on that account, 4 G.4. c.76. s.13.—144. pl.33., 5 G.4. c.32. s.1.—144. pl.34.

banns proclaimed within limits of parish or chapel, during repair, &c. of church or chapel shall be taken and registered as proclaimed in the church, &c. thereof, 5 G.4. c.32. s.3.—144. pl.36.

Licences,

shall only be granted to marry in church or public chapel of parish, &c. in which one of the parties has usually resided for fifteen days before licence granted, 4 G.4. c.76. s.10.—143. pl.30.

but proof of actual residence not necessary after the marriage, *id.* s.26.—145. pl.49.

where caveat entered against grant of licences, no licence shall issue till the matter is examined by the judge, *id.* s.11.—143. pl.31.

marriages by licence solemnized at another place, during repair, &c. of church, declared valid, 5 G.4. c.32. s.1.—144. pl.34.

nor shall officiating minister be liable to ecclesiastical censure, *id. ibid.*

licences for marriages in churches, &c. shall authorize their solemnization in any place within the parish licensed by the bishop, or if no such place, then in the church or chapel of the adjoining parish, &c., *id.* s.2.—144. pl.35.

and marriages solemnized in such licensed places shall be registered as solemnized in the church, &c., *id.* s.3.—144. pl.36.

MARRIAGE — *New Marriage Act* — continued.

Licences,

oath before surrogate as to certain particulars before licence granted, 4 G.4. c.76. s.14.—144. pl.37.

viz. of fifteen days residence within the parish, &c. by one of the parties, consent of parents, guardians, &c. as in s.16. required, *id. ibid.* [being a widower or widow, *id. ibid.*

consent of parents, guardians, &c. not necessary to marriage of minor on oath that there is no person having authority to consent, licence may be granted without consent, *id. ibid.*

no bond to be required before granting licence, *id.* s.15.—144. pl.38.

consent by whom given where parties are minors, *id.* s.16.—144. pl.39.

if father of minor be *non compos*, or if guardian, guardians, or mother, be *non compos*, or beyond seas, or unreasonably withhold their consent, the parties may apply to the lord chancellor, *id.* s.17.—144. pl.40.

no surrogate to grant licence till he hath taken oath and given security in 100*l.* to his bishop for due execution of his office, 4 G.4. c.76. s.18.—145. pl.41.

new licence to be obtained where marriage not had within three months after grant of licence by ordinary, &c., *id.* s.19.—145. pl.42.

special licences left on the same footing as before this act, *id.* s.20.—145. pl.43. [—145. pl.44.

marriages by, need not be solemnized between 8 & 12 A. M., *id.* s.21.

Solemnization of matrimony contrary to 4 G.4. c.76. *viz.*

in any place other than a church or public chapel wherein banns may be lawfully published,

at any other time than between 8 and 12 in the forenoon,

without due publication of banns or licence obtained,

by person falsely pretending to be in holy orders, [pl.44.

felony with fourteen years' transportation, 4 G.4. c.76. s.21.—145.

prosecution to be within three years after the offence, *id. ibid.*

wilfully intermarrying in any other place than a church or public chapel wherein banns may be lawfully published, avoids the marriage, *id.* s.22.—145. pl.45.

Where valid marriage of minor or minors is procured by a party thereto, contrary to 4 G.4. c.76. whether by licence obtained by false swearing, or by banns, if without requisite consent, or by banns unduly published,

information may be filed in chancery or exchequer by attorney-general at relation of parent, &c. for forfeiture of all interest accruing to offender by the marriage, and settling the same on the innocent party or his issue, 4 G.4. c.76. s.23.—145. pl.46.

where both parties are offenders, property how settled, *id. ibid.*

no such information to be filed unless attorney-general considers the circumstances sworn to sufficient to authorize it, *id. ibid.*

or unless it is sworn that relator has not discovered such marriage more than three months before applying to attorney-general, *id. ibid.*

information may be filed within one year after the marriage, *id.* s.25.—145. pl.48.

proceedings where parties abscond or are abroad, *id. ibid.*

continuation of suit in case of relator's death, *id. ibid.*

agreements, settlements, &c. entered into by parties themselves before such marriage are void, if inconsistent with settlement made as above, *id.* s.24.—145. pl.47.

Actual residence of parties,

in the parishes or chapelries wherein the banns were published, for fifteen days, when the marriage is by licence,

need not be proved, and shall not be disproved, *id.* s.26.—145. pl.49.

no celebration of marriage shall be compelled by reason of marriage-contract, *id.* s.27.—145. pl.50.

Witnesses to a marriage;

all marriages to be solemnized in presence of two or more credible witnesses besides the minister, *id.* s.28.—145. pl.51.

entry of the marriage in the register-book to be made immediately after celebration, how signed, and form thereof, *id. ibid.*

nothing in 4 G.4. c.76. shall extend to,

the royal family, *id.* s.30.—146. pl.53. [*id.* s.31.—146. pl.54.

marriages of Quakers or Jews where both parties are Quakers or Jews, any part of U. K. except *Eng.*, *id.* s.33.—146. pl.56.

two printed copies of this act to be sent to officiating ministers, and one to be preserved in parish chest, *id.* s.32.—146. pl.52.

Register-book of parish or chapelry:

felony with transportation for life, *id.* s.29.—146. pl.52.

making false entry in, relating to any marriage, *id. ibid.* [therein, *id. ibid.*

forging or altering any such entry or licence, or procuring, or assisting uttering or publishing as true any such false, altered, &c. register or licence, or copy thereof, *id. ibid.*

wilfully destroying register-book, or any part thereof, with intent to avoid a marriage, or subject party to penalty under this act, *id. ibid.*

Marriages by licence as affected by 3 G.4. c.75.

repeal of 26 G.2. c.33. s.11. which nullified marriages of minors, not being widower or widow, and had by licence without consent of father, guardian, &c. 3 G.4. c.75. s.1.—142. pl.5.

legalization of marriages had before 22d July 1822, *id.* s.2.—142. pl.6.

MARRIAGE—Marriages by Licence as affected by 3 G.4. c.75.—continued.

Legalization of marriages,
except those declared invalid by court of competent jurisdiction before this act, 3 G.4. c.75. s.3.—142. pl.7.
or where either party has afterwards in the life of the other lawfully intermarried with any other person, *id. ibid.*
nothing in this act shall establish any marriage previously invalidated on trial of issue, or legitimacy of the issue, *id. s.4.—142. pl.8.*
nor any marriage, the validity or the legitimacy of the issue of which has been duly questioned at law or equity, *id. s.5.—142. pl.9.*
property or title of honor enjoyed on ground of invalidity of marriage had without consent as aforesaid, not affected by this act, *id. s.6.—142. pl.10.*
proviso for acts done under the authority of any court, or under any will, administration, &c., *id. s.7.—142. pl.11.*
Marriages by licence celebrated between 22d July 1822, and 7th March 1823.
valid if granted by surrogate, &c. other than the archbishops or other bishops, if such surrogate was authorized by law to grant the same, before 22d July 1822, 4 G.4. c.5. *id. s.1.—142. tit. MARRIAGE, pl.13.* [s.2.—143. pl.14.
such persons granting licence between the above days indemnified, *id.*
Marriages in churches and public chapels in Eng., Wa., and Berwick, erected since 26 G.2. c.33. (1753.), and consecrated. See 3 G.4. c.72. s.12.—38. pl.10. **CHURCHES.**
declared as valid as if had in churches or public chapels wherein banns had usually been published before 1753, 6 G.4. c.92. s.1.—146. pl.58.
marriages may in future take place in all such churches or public chapels wherein banns had usually been published before 1753., 6 G.4. c.92. s.2.—146. pl.59.
registers of such marriages in such churches or public chapels shall be evidence thereof, *id. s.3.—146. pl.60.*
registers of marriages in public chapels where banns had not usually been published before 1753, [*id. s.4.—146. pl.61.*
shall be removed to parish churches to be kept with the parish registers,
Marriages solemnized abroad, (4 G.4. c.91.) (See NEWFOUNDLAND, ST. PETERSBURGH, for marriages solemnized there,)
declared valid if solemnized by minister of church of Eng. in the chapel or house of British ambassador, or minister residing at his foreign court, 4 G.4. c.91 s.1.—143. pl.18.
the chapel of any British factory abroad, *id. ibid.*
the house of any British subject residing at such factory, *id. ibid.*
Marriages solemnized by chaplain, &c. officiating under orders of commander of a British army serving abroad,
declared valid, *id. ibid.*
Nothing in this act shall affect the validity in law of marriages solemnized beyond the seas, except those herein recited, *id. s.2.—143. pl.19.*

MASTER AND SERVANT. See SERVANT.

MESSENGERS.

Under bankrupt laws, 6 G.4. c.16. s.27.—14. pl.49. See BANKRUPT.

MILLS. (page 146.) [CHIEF.

Pulling down, &c. by rioters. See 3 G.4. c.33. s.1. tit. MALICIOUS MIS-

MINES. (page 146.)

Destroying or damaging engines, waggon-ways, &c. belonging to, by rioters,
See 3 G.4. c.33. s.1. tit. MALICIOUS MISCHIEF.

MORTGAGES. (pages 146, 147.)

Mortgages of lands, slaves, cattle, &c. in Ireland or West Indies, if executed in G. B., shall be as valid as if party had resided in the country where the lands lie, 3 G.4. c.47.—146, 147. tit. MORTGAGES, pl.2.
so of bonds, assurances, &c., collateral securities for paying the interest, *id. ibid.*

so as to assignments of such mortgages, *id. ibid.*
the interest taken may exceed 5l. per cent. if not exceeding the rate allowed in the place where the lands, &c. lie, *id. ibid.*

In case of bankruptcy, equity of redemption of, goes over to assignee, 6 G.4. c.16. s.70.—18. pl.92. See BANKRUPT.

mortgagee, when to come in with the creditors, *id. s.108.—21. pl.130.*
Vested in infants, &c., conveyance of, 6 G.4. c.74.—54. pl.5. See COURTS (Chancery).

Of county rate. See GAOLS.

N.

NATURALIZATION. (page 147.)

Amending 7 Ja. 1. c.2.

taking the sacrament,

not necessary previous to naturalization, 6 G.4. c.67. s.1.—147. pl.2.
so, on being restored in blood, *id. ibid.*

bills for naturalization,

oaths of allegiance and supremacy,

taking of, in parliament house,

excused in case of sickness, *id. s.2.—147. pl.3.*

may be taken before a justice of peace, when, *id. ibid.*

may be taken before whom in the colonies, *id. ibid.* [*id. ibid.*

proof of such taking to be made before bill read a second time,

NAVIGATION. (pages 147—161.)**Statutes repealed,**

relating to navigation,

the 3 G.4. c.43. by 6 G.4. c.105. s.358.—147. pl.1. See STATUTES.

4 G.4. c.2. by 6 G.4. c.105. s.365.—147. pl.2.

6 G.4. c.73. by 6 G.4. c.109. s.114.—147. pl.3.

6 G.4. c.76. by 6 G.4. c.114. s.44.—147. pl.4.

relating to the importation of goods,

what, 3 G.4. c.42. ss.1—32.—147—150. pl.7—38. [—150. pl.39.

proviso for suits, &c. pending for forfeitures under the said acts, *id. s.33.*

relating to the trade between H. M.'s possessions in America and the West

Indies, and other parts of America and the West Indies,

what, 3 G.4. c.44. s.1.—150. pl.41.

the 3 G.4. c.44. by 6 G.4. c.105. s.359.—150. pl.40.

except so far as it repeals other acts, *id. ibid.*

relating to the trade between H. M.'s possessions in America or the West

Indies and other parts of the world,

what, 3 G.4. c.45. s.1.—151. pl.43.

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Trade TO the United Kingdom :

From European ports,

in enumerated European goods,

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importation of, for home consumption,

to be in British ships, *id. ibid.*

in ships of the country of production, *id. ibid.*

in ships of the country from which the goods are imported, *id. ibid.*

in goods the produce of Asia, Africa, or America,

for home consumption,

prohibited, *id. s.3.—151. pl.47.*

exception for goods the produce of places

in Asia or Africa within the Straits, *id. ibid.*

in the dominions of the emperor of Morocco, *id. ibid.*

if imported from what ports, *id. ibid.*

within the limits of the E. I. Co.'s charter, *id. ibid.*

if coming from Malta or Gibraltar, *id. ibid.*

if imported into those places in British ships, *id. ibid.*

for goods taken by way of reprisal, when, *id. ibid.*

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manufactured goods deemed the produce of the country where manu-

factured, *id. s.5.—151. pl.49.*

From ports of Asia, Africa or America; (See post.)

for home consumption,

prohibited in foreign ships, *id. s.4.—151. pl.48.*

except they be ships of the country of production, and from which

they are imported, *id. ibid.*

exception,

[Asia or Africa, *id. ibid.*

for goods the produce of the dominions of the Grand Seigneur in

may be imported from Europe in ships of such dominions, *id. ib.*

for raw silk and mohair yarn, the produce of Asia, *id. ibid.*

may be imported from Levant ports, when, *id. ibid.*

in what ships, *id. ibid.*

for bullion, *id. ibid.*

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manufactured goods deemed the produce of the country where manu-

From the islands of Guernsey, Jersey, Alderney, Sark, or Man,

prohibited, unless in British ships, *id. s.6.—151. pl.56.*

From any part of the world,

for warehousing for exportation, and duty free,

what goods subject of, *id. s.21.—152. pl.65.*

when must be in a British ship, *id. ibid.*

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such ships how navigated, *id. ibid.*

Coasting trade of the United Kingdom :

From one part of the U. K. to another,

prohibited, except in British ships, *id. s.8.—152. pl.52.*

From any of the islands of Guernsey, Jersey, &c. to another, or from one

part of one of such islands to another,

prohibited, except in British ships, *id. s.9.—152. pl.53.*

Trade FROM the United Kingdom :

To the British possessions in Asia, Africa, or America,

prohibited, except in British ships, *id. s.7.—151. pl.51.*

To the islands of Guernsey, Jersey, Alderney, Sark, or Man,

prohibited, except in British ships, *id. s.7.—151. pl.51.*

Penalty for infringing foregoing provisions :

Forfeiture of the goods illegally imported, &c., *id. s.22.—152. pl.66.*

Master to forfeit what, *id. ibid.*

Colonial trade, and the trade of H. M.'s foreign dominions.

See EAST INDIA COMPANY.

In general,

with the U. K., (See ante, this title.)

from any British possession in Asia, Africa, or America, to any other such

possession, or from one part to another part of the same possession,

prohibited, except in British ships, 6 G.4. c.109. s.10.—152. pl.54.

to any such British possession, from places other than as aforesaid,

prohibited in foreign ships, *id. s.11.—152. pl.55.*

NAVIGATION — Colonial Trade — continued.

To the *British* possessions, other than as aforesaid, — Prohibited,
except they be ships of the country of which the goods are the pro-
duce, 6 G.4. c.109. s.11.—152. pl.55.
or ships of the country whence the goods are imported, *id. ibid.*
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penalties for infringing these provisions, 6 G.4. c.109. s.22.—152.
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cocket must express what, 6 G.4. c.114. s.24.—156. pl.92.
bye laws in the colonies repugnant to this act declared null and void,
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coals the produce of the U. K.,
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by sea,
to or from places other than the U. K. or such possessions,
prohibited, 6 G.4. c.114. s.2.—152. pl.69.
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proviso for exportation of the produce of the fisheries, *id. ibid.*
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id. s. 5.—153. pl.72. See SHIPPING.
subject to the powers given H. M. by the above acts, *id. ibid.*
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country to which they belong, *id. s.6.—153. pl. 73.*
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from any adjoining foreign country,
what goods may be imported, *id. s.28.—157. pl.96.*
in what vessels and boats importation to be, *id. ibid.*
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how owned, and where built or repaired, *id. ibid.*
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United States of *America*,
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may be revoked, how, *id. ibid.*
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as to stowage, *id. s.35.—157. pl.103.*
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NAVIGATION — Colonial Trade — continued.

Warehousing — account,
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samples may be taken, with whose permission, *id. s.39.—158. pl.107.*
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how far allowable, *id. ibid.*
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from the warehouse there, *id. ibid.*
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not drawn it back, *id. ibid.*
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how diminished when article subject to duty under such acts and
this act, *id. ibid.*
so where subject to duty by a colonial law, *id. ibid.*
but full amount by this act imposed must be levied, *id. ibid.*
deemed sterling money of *G. B.*, *id. s.12.—155. pl.80.*
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where *ad valorem*, same payable for a greater or less proportion, *id.*
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under the management of whom, *id. ibid.*
to whom to be paid to be so applied, *id. s.13.—155. pl. 81.*
application of, directed by colonial legislature, *id. ibid.*
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what and when, in case of spirits, *id. s.14.—155. pl. 82.*
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to be produced, *id. ibid.*
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Trade in particular instances :
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Trade between *Jamaica* and *St. Domingo*,
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not admitted into any port of *Jamaica*, *id. ibid.*
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forbidden, *id. ibid.*

NAVIGATION — Trade in particular instances — continued.

Trade between *Jamaica* and *St. Domingo* — landing persons, except in cases of necessity, 6 G.4. c.114. s.48.—158. pl.116. where licence obtained from the governor, *id. ibid.*

Trade to and from the *British* possessions, on or near the continent of *Europe* or in the *Mediterranean*, or in *Africa*, or the Co.'s limits, power of H. M. in council herein, *id. s.73.—160. pl.141.* orders in council as to broken ship and cargo forfeited, *id. ibid.* this not to extend to the *E. I. Co.*'s possessions. *id. ibid.*

Trade of places within the limits of the *E. I. Co.*'s charter, to or from *British America*, by the *E. I. Co.*, how far allowed, *id. s.74.—160. pl.142.* so when circuitous from such limits to *British America*, and thence to the U. K., *id. ibid.* under licence of the *E. I. Co.* in writing, with *China*, how far allowed, *id. ibid.* with such limits in tea, how far allowed, *id. ibid.*

Exportation of sugar, the produce of such places, affidavit of growth of sugar, when, by, and before whom made, *id. s.70.—160. pl.143.* certificate of growth, who to grant, and what it shall state, *id. ibid.* [pl.144. proviso for 37 G.3. c.117., and regulations made under it, *id. s.76.—160.* shipping employed in, built within such limits, how far deemed *British* ships, *id. s.77.—160. pl.145.* only so for trade within such limits, *id. ibid.* wine, the produce of the *Cape of Good Hope*, affidavit of growth of, *id. s.78.—160. pl.146.* before whom sworn, *id. ibid.* certificate of growth, by whom granted, and what to state, *id. s.6.* to or from *Malta*, *Gibraltar*, [COMPANY Trade. how far allowed, 4 G.4. c.80. s.13.—75. pl.40. See EAST INDIA

Trade of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, to the U. K. or *British America*, in goods the growth of such islands, or made from goods the growth thereof, or of the U. K., affidavit of produce or manufacture, by and before whom, and when made, *id. s.79.—160. pl.147.* certificate of produce, &c. by whom, and when to be granted, *id. ibid.* what to state, *id. ibid.* evidence of what, *id. ibid.*

from places other than the U. K. in tea, prohibited, *id. s.80.—160. pl.148.* in tobacco, prohibited, *id. ibid.* such goods unduly imported forfeited, *id. ibid.* exception for tea going to *Sark*, when, *id. s.82.—161. pl.150.*

Imports into, exports from, removals from one part to another part of any such islands, or coastwise, and goods waterborne for such purposes, in spirits, except rum of the *British* plantations, must be in boats, &c. of what burden, *id. s.81.—160. pl.149.* and in casks of what content, *id. ibid.* except spirits for use of crew, *id. ibid.* [pl.150. boats not exceeding ten tons burden, when, *id. s.82.—160.*

in tobacco or snuff, must be in vessels of what burden, *id. s.81.—160. pl.149.* in casks of what content, *id. ibid.* exception for tobacco, &c. for use of crew, *id. ibid.* for manufactured tobacco, when, *id. ibid.*

in tobacco, snuff, or tea, for the island of *Sark*, [pl.151. licence will protect boats carrying same, when, *id. s.81.—160.* by whom, and when granted; no fee, *id. ibid.* quantity of tea that may be carried, *id. ibid.*

in wine, and also from one island to another, must be in boats of what burden, *id. s.81.—160. pl.149.* in casks of what content, *id. ibid.* in packages containing what quantity, *id. ibid.* except wine in bottles, when, *id. s.83.—161. pl.151.* proceedings where shipped for *G. B.* or *Ire.*, *id. ibid.* [id. ibid. bond and certificate, and certificate of due landing thereof, penalties for the breach of these regulations, *id. ss. 81, 82.—160, 161. pl. 149, 150.* persons on board boats, &c. infringing or having infringed same, forfeit 100*l.*, *id. s.84.—161. pl.152.*

From or to the *British* possessions in *America*, or the island of *Mauritius*, importations into such possessions or island by sea or otherwise, (see ante.) goods prohibited, 6 G.4. c.114. s.7.—153. pl.74. goods to be brought in only from particular places, *id. ibid.* what those places are, *id. ibid.* goods to be imported by the *E. I. Co.* only, or by their licence, *id. ibid.* goods to be imported only into particular colonies, *id. ibid.* power of H. M. to restrain such importation, *id. ibid.* goods imported contrary hereto, forfeited, *id. s.7.—153. pl.75.*

NAVIGATION — Trade in particular instances — continued.

From or to *British American* possessions, &c. importations from any of the *British* possessions into which goods of foreign production can be legally imported, into any other such possession, or the island of *Mauritius*, or the U. K., where they cannot be so legally imported, of coffee, sugar, cocoa-nuts, molasses, or rum, same deemed of foreign growth, 6 G.4. c.114. s.8.—153. pl.76. so even though of growth of *British* plantations, *id. ibid.* liable to duties as if of foreign growth, *id. ibid.* also to the same provisions as foreign goods, *id. ibid.* [id. ibid. exception for goods warehoused under this act, and exported direct, entry and landing of goods, and payment of the duties, must be done, how soon after ship's arrival, *id. s.23.—156. pl.91.* not done, goods how dealt with, *id. ibid.* money arising by sale of, how applied, *id. ibid.* not valid, unless the description of the goods corresponds with the report, *id. s.28.—156. pl.93.* goods how dealt with, if entry bad, *id. ibid.*

Duties in *America* or the *Mauritius*, charged *ad valorem*, value how ascertained, *id. s.21.—156. pl.89.* declaration of value, form of, *id. ibid.* to be written on the bill of entry, *id. ibid.* how signed, *id. ibid.* value not truly given, invoice price to be declared, *id. ibid.* deemed true value of the goods, when, *id. ibid.* not truly set forth, or not known, how to proceed, *id. ibid.* what deemed true value, *id. ibid.* duties not paid, articles, &c. secured, *id. s.22.—156. pl.90.* articles may be sold publicly, when, *id. ibid.* time and place for sale of, *id. ibid.* how appointed, and by whom, *id. ibid.* money arising by sale of, how applied, *id. ibid.* after entry by bill of sight, goods sold, when, *id. s.20.—156. pl.88.*

Exportation of the produce of such possessions or island, being sugar, coffee, cocoa-nuts, spirits, or mahogany, affidavit of growth to be made, *id. s.26.—156. pl.94.* by and before whom taken, *id. ibid.* what to state, *id. ibid.* must be made in presence of whom, *id. ibid.* [fore him, *id. ibid.* penalty on persons signing same, unless deponent was sworn before to whom delivered, *id. ibid.* identity of, how proved at time of entry, *id. ibid.* so at time of clearance, *id. ibid.* certificate of production to be granted when, and by whom, *id. ibid.* what to state, *id. ibid.* such articles imported without, forfeited, *id. ibid.* being mahogany, deemed of foreign production, *id. ibid.* exportation of the produce of such possessions or island from some other of such possessions, or from such island, being sugar, coffee, cocoa-nuts, spirits, or mahogany, entry outwards, what to state, *id. s.27.—157. pl.95.* identity, how proved, *id. ibid.* certificate of production, how and when to be produced, *id. ibid.* what to state, *id. ibid.*

British possessions in *America*, island of *Mauritius*, or the islands of *Guernsey*, *Jersey*, *Alderney*, or *Sark*, ships arriving at, [pl.88. report inwards, by whom, where, and when made, *id. s.15.—155.* so whether she is in cargo or ballast, *id. ibid.* to be on oath and in writing, and to whom, *id. ibid.* what to state, *id. ibid.* master to answer what questions, on making report, *id. ibid.* penalty for not so reporting, *id. ibid.* for not answering such questions, *id. ibid.*

ships bound from, entry outwards, by whom and to whom delivered, *id. s.16.—155. pl.84.* to be under master's hand, *id. ibid.* what to state, *id. ibid.* to be made before any goods laden, or penalty, *id. ibid.* contents to be delivered by and to whom, and when, *id. ibid.* what to state, *id. ibid.* oath of the truth of, by whom made, *id. ibid.* delivering same falsely made out, penalty, *id. ibid.* master to answer what questions, *id. ibid.* so whether ship is in cargo or ballast, *id. ibid.* not answering, or not truly answering, penalty, *id. ibid.* [pl.84. clearance, certificate of, to whom and by whom delivered, *id. s.16.—155.* what to contain, *id. ibid.* master, when entitled to, *id. ibid.* ship departing without, penalty, *id. ibid.* being from ports of *Newfoundland*, or other parts of H. M.'s dominions, for the fisheries, or on the coast of *Labrador*. See FISHERIES (*Newfoundland*), pl.16.

NAVIGATION — *Trade in particular instances — continued.*

British possessions, &c. — ships bound from, &c. [155. pl.85.
 not to have any article of traffic on board, 6 G.4. c.114. s.17.—
 exception, *id. ibid.*
 certificate of clearance for such fisheries,
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 how long in force, *id. ibid.*
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 vessels having such certificate on board arriving there,
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 Goods and merchandizes,
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 bill of, to whom, and by whom delivered, *id. s.19.—156. pl.87.*
 what to contain, *id. ibid.*
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 goods landed under, how secured, *id. ibid.*
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 report, &c. *id. s.25.—156. pl.93.*
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 regulations not complied with, goods forfeited, *id. ibid.*
 officers of customs,
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 may grant their permission in writing, *id. ibid.*
 regulations not complied with, goods forfeited, *id. ibid.*
 goods carried coastwise, or removed for shipment,
 power of custom-house herein, *id. s.18.—156. pl.86.*
 duties on such goods,
 when to be paid, *id. s.19.—156. pl.87.*
 when, where entry is made by bill of sight, *id. s.20.—156. pl.88.*
 when, where goods seized for want of entry and landing in due time,
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 so where entry is made by bill of sight, *id. s.20.—156. pl.88.*

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 to whom and where delivered, *id. ibid.*
 powers of commissioners of customs herein, *id. ibid.*
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 powers of commissioners of customs herein, *id. ibid.*
 suits for,
 in what courts brought, *id. s.57.—159. pl.125.*
 so where seizure is made in one colony and forfeiture accrued
 in another, *id. ibid.*
 in whose name brought, *id. s.59.—159. pl.127.*
 evidence as to character of plaintiff, *id. ibid.*
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 limitation of, *id. s.69.—160. pl.137.* [pl.128.
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void as soon as disallowance proclaimed, *id. ibid.*

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parliament,

copies of, to be laid before, when, *id. s.31.—171. pl.44.*

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Courts in places appointed for the reception of convicts,

for the trial of offences committed there,

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are courts of record, *id. ibid.*

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and found at large in the U. K.; death, *id. ibid.*

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Ports for the reception of convicts,

H. M. may appoint, *id. s.38.—172. pl.51.*

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aiding, abetting, or contriving a misdemeanor, *id. s.39.—172. pl.52.*

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Sentences of convicts remitted by governor, and duplicates not arrived pur-

suant to 30 G.3. c.47.

instrument to have effect of a pardon, when, *id. s.34.—171. pl.47.*

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The supreme court of Van Diemen's Land,

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are courts of record, *id. ibid.*

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Courts of general or quarter sessions in *New South Wales*, and *Van*
when and where to be holden, *id. s.19.—169. pl.31.*

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Seamen's act, 2 G.2. c.36., extended to *New South Wales*, *id. s.40.—172. pl.53.*
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not being under 18 years of age,
may bind themselves by indenture to persons to proceed to, and serve
in such colony, *id. s.41.—172. pl.54.*
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may recover treble costs in such action, *id. ibid.*
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what order such court, &c. may pronounce, *id. ibid.*
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competency of, only impeachable for interest, when, *id. s.12.—169. pl.14*
The 27 G.3. c.2., repealed, when, *id. s.18.—169. pl.30.*
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Power of consul abroad to act as, 6 G.4. c.87. s.20.—51. pl.21. See
CONSUL.

NURSERY GROUND.

Protecting property in, 6 G.4. c.127.—176. pl.24.

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OATHS.

Power of consul abroad to administer, 6 G.4. c.87. s.20. 51. pl.21. See
CONSUL.

Earl marshal need not take, what, 5 G.4. c.109.—176. pl.2.
By revenue officers, what dispensed with. See REVENUE.

OFFENCE AND OFFENDER, (pages 173—176.) (SEE ACCESSARY; BENEFIT OF CLERGY.)

Choses in action, bills, notes, warrants for money, &c. stolen, receivers of,

how punished, 3 G. 4. c. 24. s. 1.—170. pl. 2.

what instruments within the act, *id. ibid.*

being guilty of felony,

[—173. pl. 4.

may be tried, &c. before conviction of principal offender, *id. s. 3.*

search for, power for, *id. s. 2.—173. pl. 3.*

apprehension, punishment, and prosecution of such receivers, *id. ibid.*

Manufactures:

woollen, silk, linen, or cotton goods, or goods of any of these materials mixed with each other, or any other material,

stealing, damaging, &c. the same, or implements used in making same, acts relating to, repealed, 4 G. 4. c. 46. s. 2.—174. pl. 13.

breaking, &c. into any house by day or night, with intent to cut, break, &c. the same in the frame, how punished, *id. ibid.* [*id. ibid.*

to destroy any machine or engine used in the manufacture thereof, to cut same on the rack or tenters, *id. ibid.*

to cut, &c. any warp or shuttle, *id. ibid.*

to cut, &c. any frame-work, knitted piece, hose, lace, &c. *id. ibid.*

to burn, break, or cut, &c. any loom, frame, engine, &c. used for what purposes, *id. ibid.* [engines, *id. ibid.*

wilfully cutting, destroying, breaking, burning, &c. such goods or

Threatening letters:

what acts relating to sending of, repealed, 4 G. 4. c. 54. s. 3.—175. pl. 19.

sending or delivering letters, &c., with or without a name,

demanding money, &c. how punished, *id. ibid.*

threatening to kill a person, *id. ibid.*

to destroy, or burn his house, stacks, &c., *id. ibid.*

to accuse a person of a capital crime, *id. ibid.*

to accuse a person of any infamous crime, *id. ibid.* [pl. 20.

what shall be deemed infamous crimes, 6 G. 4. c. 19. —176.

aiding, &c. in commission of such crimes, 4 G. 4. c. 54. s. 3.—175. pl. 18.

rescuing persons in custody for such crimes, *id. ibid.*

how punished, *id. ibid.*

Robbery, or assault with intent to commit, or extorting money by menaces or threats to accuse another of any infamous crimes;

how punished, *id. s. 5.—176. pl. 22.*

so those aiding, &c. in the commission thereof, *id. ibid.*

Stealing in any orchard, garden, nursery-ground, hothouse, conservatory, &c.;

how punished, 6 G. 4. c. 127. s. 1.—176. pl. 24.

entering such places with intent to steal, *id. ibid.*

removing, &c. shrubs, trees, &c., fruit, &c. *id. ibid.* [*id. ibid.*

so whether severed before, or at the time of committing the offence,

Benefit of clergy extended to several larcenies; [175. pl. 15.

acts taking away clergy from certain offences, repealed, 4 G. 4. c. 53.—

cutting or stealing cloth from the tenters, *id. ibid.*

stealing or embezzling public stores, *id. ibid.*

privately stealing in a shop, warehouse, &c. *id. ibid.*

in a ship, barge, &c. on a river or canal, *id. ibid.*

from any dock or quay adjoining such river, *id. ibid.*

aiding, &c. in such crimes, *id. ibid.*

Benefit of clergy allowed:

for going armed and disguised, 4 G. 4. c. 54. s. 1.—175. pl. 17.

for unlawfully hunting, &c. deer, *id. ibid.*

for robbing any warren, *id. ibid.*

for stealing fish from a fish-pond, *id. ibid.*

for breaking down the head of any fish-pond, *id. ibid.*

for rescuing persons in custody for such offences, *id. ibid.*

for hiring persons to commit such crimes, *id. ibid.*

act taking clergy away, 9 G. 1. c. 22. repealed, *id. ibid.*

how punished, *id. ibid.*

for killing, maiming, &c. any cattle, *id. s. 2.—175. pl. 18.* See CATTLE.

for cutting down trees in an avenue, &c. *id. ibid.*

for abetting in such offences, *id. ibid.*

for rescuing persons in custody for such offences, *id. ibid.*

act taking clergy away repealed, *id. ibid.*

such crimes, how punished, *id. ibid.* [See MALICIOUS MISCHIEF.

saving of claim against the hundred for damages, *id. s. 4.—176. pl. 21.*

Punishment of offences;

by imprisonment with hard labour,

in what cases allowed, 3 G. 4. c. 114.—173. pl. 6.

by transportation, imprisonment, or imprisonment and hard labour,

for destroying banks of rivers, &c., 4 G. 4. c. 46. s. 1.—174. pl. 12.

for cutting hop-binds, *id. ibid.*

for breaking down flood-gates of Bedford Level, *id. ibid.*

for false personating, when, *id. ibid.*

for damaging or destroying manufactures, implements, or machinery, *id. s. 2.—174. pl. 13.* See MANUFACTURES.

by death,

[s. 1.—174. pl. 8.

judge to abstain from pronouncing sentence of, when, 4 G. 4. c. 48.

effect thereof on the prisoner, *id. ibid.*

sentence of, to be entered on record, *id. s. 2.—174. pl. 9.*

not to extend to Scot., *id. s. 3.—174. pl. 10.*

OFFICE. (page 176.) See SERVICES PUBLIC.

Earl marshal and his deputy,

offices may be executed without taking, &c. certain oaths, 5 G. 4. c. 109.

s. 1.—176. pl. 2.

acts of such officers valid, *id. ibid.*

[c. 123. s. 2.—178. pl. 12.

Under sergeant at arms, 52 G. 3. c. 11. allowing sale of, repealed, 6 G. 4.

Clerks in office of the clerk of the errors, 6 G. 4. c. 96. s. 4.—78. pl. 5. See

ERROR.

[c. 69. s. 3.—82. pl. 4.

Clerks in the courts of law or equity, power of judges to regulate, 3 G. 4.

ORCHARD.

Cutting down or destroying trees in, 4 G. 4. c. 54. s. 3.—175. pl. 19.

Protecting property in, 6 G. 4. c. 127.—176. pl. 24.

OUTHOUSE.

Firing by rioters, see 3 G. 4. c. 33. tit. MALICIOUS MISCHIEF.

P.

PAPER MANUFACTORY.

The 36 G. 3. c. 111., how far repealed, 6 G. 4. c. 129. s. 2.—46. pl. 4. See COMBINATION.

PARDON. (page 176.)

Discharge of offender out of custody in case of a free pardon, and on performance of condition in case of a conditional pardon, shall have effect of a pardon under the great seal, 6 G. 4. c. 25. s. 1.—176. tit. PARDON, pl. 2.

PARLIAMENT. (pages 176—178.)

House of Lords:

Appeals to,

commissioners to enquire into course of, 4 G. 4. c. 85.—176. pl. 1.

Clerk of the parliament,

office of, when vacant,

clerk assistant promoted to, 5 G. 4. c. 82. s. 1.—177. pl. 3.

to execute same in person, *id. ibid.*

how removable, *id. ibid.*

appointment of, in the king, *id. s. 2.—177. pl. 4.*

duties of, to be executed in person, *id. ibid.*

how removable, *id. ibid.*

Clerk's assistant, or other clerks officiating at the table of the House of Lords,

by whom appointed, *id. s. 3.—177. pl. 5.*

proviso for Sir G. H. Rose, when, *id. s. 4.—177. pl. 6.*

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Other clerks belonging to the office of clerk of the parliaments,

how appointed and removed, *id. s. 5.—177. pl. 7.*

proviso for Sir G. H. Rose, and H. Cowper, Esq., *id. s. 6.—177. pl. 8.*

House of Commons:

Private bills before,

costs and expences of soliciting, &c.

speaker may order same to be taxed, 6 G. 4. c. 123. s. 1.—177. pl. 10.

at whose request to make such order, *id. ibid.*

to appoint a person to tax, *id. ibid.*

what costs may be so taxed, *id. ibid.*

taxing officer, duty of, *id. ibid.*

to report amount due, to speaker, *id. ibid.*

fees, to and against whom charged, *id. ibid.*

certificate of amount of costs,

speaker to make and sign, *id. ibid.*

to be delivered to whom, *id. ibid.*

how far an evidence of sum due, *id. ibid.*

receipt to be indorsed on, *id. ibid.*

a full discharge, *id. ibid.*

to have like effect as a warrant to confess judgment, *id. s. 2.—177. pl. 11.*

Offices under sergeant-at-arms,

the 52 G. 3. c. 11. allowing sale of, repealed, *id. s. 3.—178. pl. 12.*

persons having bought them, discharged from paying, *id. s. 4.—178. pl. 13.*

PARTNERS.

In indictments for forging or obtaining money by false pretences, the act may be laid as done with intent to defraud one or more of any partners, &c. 6 G. 4. c. 56.—111. tit. INDICTMENT, &c. pl. 2.

Being bankrupt jointly or severally. See BANKRUPT.

PASSENGER. (pages 178—180.)

Vessels carrying passengers between G. B. and Ire.:

no captain of any vessel under 200 tons employed in conveying passengers between G. B. and Ire. shall take more than twenty passengers unless licensed by collector of customs at the port, 4 G. 4. c. 88. s. 1.—178. pl. 4.

proportion of passengers in licensed vessels:—five adults (or ten children under fourteen, or fifteen under seven years) to four tons, including crew; tonnage according to certificate of registry; if ship partly laden with goods, &c. the tonnage of passengers to be exclusive of the part laden, *id. s. 2.—178. pl. 5.*

PASSENGER — continued.

Vessels carrying passengers between G. B. and Ire. ;

penalty on master or owners taking passengers without licence, 50*l.*; on taking more passengers than allowed, 5*l.* for each person exceeding; ship having more than twenty passengers without licence may be detained till penalty paid, 4 G. 4. c. 88. s. 3.—178. pl. 6.

merchant-vessels, &c. of or under 100 tons, shall not carry more than ten persons, nor more than twenty if not exceeding 200 tons; penalty 5*l.* for every person exceeding, *id.* s. 4.—178. pl. 7.

abstract of act, &c. shall be hung up at the custom-house and on board every vessel; penalty, 10*l.*, *id.* s. 5.—178. pl. 8.

act not to extend to vessels in government service, &c., *id.* s. 6.—178. pl. 9.

penalties may be recovered before one justice, in moieties to H. M. and the prosecutor, *id.* s. 7.—178. pl. 10.

appeal to quarter sessions, *certiorari*, &c. *id.* ss. 8, 9.—179. pl. 11, 12.

limitation of actions; general issue; double costs, *id.* s. 10.—179. pl. 13.

Vessels carrying passengers to foreign parts :

no British vessel carrying passengers shall sail from any port in the U. K. for any port out of Europe, and not within Straights of Gibraltar, with more persons aboard than one for every five tons burthen, without a licence from commissioners of customs, for carrying not more than one person for every two tons burthen (two children under fourteen, or three under seven, to be reckoned as one person), penalty 50*l.* per head, 6 G. 4. c. 116. s. 1.—179. pl. 15.

vessels carrying passengers from Ire. to British North American possessions may be excepted from this act by order of treasury, *id.* s. 17.—180. pl. 31.

no foreign vessel shall sail with more than one person for every five tons, without special permission of customs; penalty, 50*l.* per head, *id.* s. 18.—180. pl. 32.

act extends to foreign ships of nations in amity, *id.* s. 19.—180. pl. 33.

number of persons permitted to be taken on board of vessels laden with goods for exportation, to be in proportion of one adult to every two tons of such ship when unladen; penalty, 20*l.* per head, *id.* s. 3.—179. pl. 17.

space described which shall be equivalent to two tons unladen, *id.* *ibid.*

tonnage of British ship shall be deemed to be as in her register, *id.* s. 4.—179. pl. 18.

tonnage of foreign ship to be ascertained by admeasurement, *id.* *ibid.*

list of persons on board to be delivered to collector, *id.* s. 5.—179. pl. 19.

bond to be given to H. M. by owner or master of British ship in 20*l.* each passenger, that ship is sea-worthy, properly stored, has a surgeon with medicine-chest properly stored, and that each passenger, if alive, shall be landed at his destined port, unless landed elsewhere at his own wish, *id.* *ibid.*

penalty on masters having a licence as in s. 2. taking more passengers than allowed; 50*l.* for each person exceeding, *id.* s. 6.—179. pl. 20.

allowance of provisions and water, *id.* s. 7.—179. pl. 21.

penalty of 10*l.* on master failing to give the allowance of provisions and water, *id.* s. 8.—179. pl. 22.

passengers with their baggage may be relanded on applying to collector, *id.* s. 9.—179. pl. 23.

penalty of 500*l.* on master relanding water or provisions, except a proportion sufficient for allowance of passenger relanded, *id.* s. 10.—180. pl. 24.

bedding to be aired daily, and ship fumigated with vinegar twice a week; penalty, 20*l.*, *id.* s. 11.—180. pl. 25.

no British ship carrying fifty persons shall be cleared out unless provided with a surgeon, *id.* s. 12.—180. pl. 26. (See 179. pl. 12.)

surgeon to be provided with a medicine-chest properly stored, to make oath of its contents before collector that the medicines are of proper quality and fit for the voyage, *id.* s. 13.—180. pl. 27.

penalty on master not providing a surgeon; 20*l.* for each person on board, *id.* *ibid.*

vessels to be marked with a P. of a certain size; penalty of 100*l.* on master having more than allowed number on board, *id.* s. 14.—180. pl. 28.

officers of navy, collectors of customs, governors, lieutenant-governors, consuls, shall enquire into execution of the act, *id.* s. 15.—180. pl. 29.

penalty of 200*l.* on master refusing to produce the licence to any such officer, &c. or consul, *id.* *ibid.*

act not to extend to vessels in service of H. M., the postmaster-general, or E. I. Co., bound to Newfoundland or Labrador fisheries, *id.* s. 16.—180. pl. 30. [pl. 34, 35.]

recovery of penalties, general issue, double costs, *id.* ss. 20, 21.—180.

PEERS.

Not liable to serve on juries, 6 G. 4. c. 50. s. 2.—119. pl. 3. See JURY.

PENITENTIARY. (pages 180, 181.)

Male offenders removed from Milbank to vessels on the Thames, shall be there confined under management of superintendant of hulks till entitled to their liberty, 5 G. 4. c. 19.—180. tit. PENITENTIARY, pl. 3.

PEWS.

In new churches, 3 G. 4. c. 72. ss. 23, 24, 25.—38, 39. pl. 24, 25, 26. See CHURCHES.

PHYSICIAN.

The 5 H. 8. c. 6. repealed, 6 G. 4. c. 50. s. 62.—126. pl. 63.

PILOTAGE. (pages 181—192.)

Trinity-house of Deptford Strond :

Pilots licensed and examined by that Trinity-house ;

appointment, 6 G. 4. c. 125. s. 2.—181. pl. 3.

limits; viz. on Thames and Medway to the Downs, Isle of Wight, &c., within which no other pilots may conduct ships, *id.* *ibid.*

licences heretofore granted to, in force till 31st Jan. 1826, *id.* *ibid.*

previous service required as qualification to be licensed as pilot for,

North Channel upwards, *id.* s. 3.—181. pl. 4.

North Channel downwards, Queen's South, or other channels downwards,

shall not take charge of vessel drawing more than fourteen feet water in

Thames or Medway till after three years' service, and re-examination

by Trinity-house; penalty on master and pilot, 10*l.*, *id.* *ibid.*

shall each pay three guineas in Jan. yearly to the corporation of the Trinity-House, besides 6*d.* poundage on all pilotage earned, *id.* s. 4.—181. pl. 5.

payment, how enforced; produce applied to pilots' fund of, *id.* *ibid.*

Pilots licensed by that Trinity-house on certificate of examination by sub-commissioners of pilotage :

Trinity-house of Deptford Strond may appoint at any port or place in E.

(except Cinque Ports or places covered by statute or charter) from

three to five "Sub-commissioners of Pilotage," to examine in

qualifications of persons to act as pilots for such port, place, and a

joining coasts, 6 G. 4. c. 125. s. 5.—181. pl. 6.

Sub-commissioners of Pilotage,

their oath, *id.* Sch. (C.)

if certificate by majority of such sub-commissioners is satisfactory, the

Trinity-house of Deptford Strond may license pilot to act within the

described limits for which examined, 6 G. 4. c. 125. s. 5.—181. pl. 6.

sums payable to, by pilots, how settled, *id.* s. 11.—182. pl. 12.

notice of licences so granted, how to be published, *id.* s. 7.—182. pl. 8.

all ships passing within the described limits of any such port, &c. shall, after six weeks from such publication, be conducted by such pilots

only, *id.* *ibid.*

rates of pilotage for pilotage performed in any river, port, place, or coast,

how fixed, 6 G. 4. c. 125. s. 8.—182. pl. 9.

tables of, to be hung up in the respective custom-houses, *id.* *ibid.*

penalty for demanding, taking, or offering greater or less rates, 10*l.*,

id. *ibid.* [Plymouth, and Falmouth, *id.* *ibid.*

for ships returning in distress into ports in district of Isle of Wight,

majority of pilots licensed for any port, &c. or owners of ships dissatisfied with rates, may appeal to H. M. in council, *id.* s. 9.—182.

pl. 10.

Pilots licensed by that Trinity-house (in general) :

licences shall be granted until 31st January next ensuing the date, and may be received yearly to the 31st January, by indorsement, 6 G. 4.

c. 125. s. 10.—182. pl. 11.

under government of Trinity-house of Deptford Strond, *id.* s. 11.—182.

bye laws for enforcing this act, *id.* *ibid.*

by whom made, and penalties for breach of, *id.* *ibid.*

to be sanctioned by chief justice of K. B. or C. P., *id.* *ibid.*

notice of proposed bye laws, how given, *id.* s. 12.—182. pl. 13.

to be printed and hung up in the different custom-houses of Eng., and

in Trinity-house in London, *id.* s. 13.—182. pl. 14.

Trinity-houses of Hull and Newcastle :

may appoint sub-commissioners of pilotage to examine pilots, and may li-

cence them to pilot ships within their jurisdiction, 6 G. 4. c. 125. s. 6.

—182. pl. 7.

pilots previously appointed under any statute shall continue to act, *id.* *ibid.*

saving for charters of, *id.* s. 89.—191. pl. 90.

Pilots and pilotage in Ramsgate, Dover, Sandwich, or Margate harbours :

all pilots licensed to pilot ships from the westward up to London Bridge

shall be examined as to their ability to conduct vessels into and out of

the above harbours, 6 G. 4. c. 125. s. 39.—186. pl. 40

such pilots are compellable to pilot vessels into and out of; penalty on

refusal, *id.* *ibid.*

rates of pilotage into or out of the above harbours, *id.* s. 40.—186. pl. 41.

Cinque Port establishment :

Cinque Port pilots :

by what officers of the Cinque Ports licensed, *id.* s. 14.—182. pl. 15.

what vessels to be piloted by, and within what limits, *id.* *ibid.*

by whom examined, in order to admission to the Society of Pilots of the

Trinity-house of Dover, Deal, and Isle of Thanet, *id.* s. 15.—182.

pl. 16.

examiners' oath, *id.* s. 17.—183. pl. 18.

penalties for piloting a vessel before such admission, *id.* s. 15.—182. pl. 16.

ships of certain described draughts of water to be taken charge of by

pilots of different standings, between one and seven years, *id.* s. 16.—

183. pl. 17.

shall be again examined after seven years, and if then approved and li-

censed may take charge of ships of any draught, *id.* *ibid.*

PILOTAGE — *Cinque Port establishment — continued.*

Cinque port pilots,

eighteen at least shall at all seasonable times, by day and night, ply at sea, or be afloat between *South Foreland* and *Dungeness*, 6 G.4. c.125. s.18.—183. pl.19.

the rest, on signals given of fleet coming from west, shall go off in time to fall in with ships coming from west; penalties, *id. ibid.*

signals for pilot to come on board shall be kept flying by all masters of ships coming from west, within certain and what limits; penalty, *id. s.19.—183. pl.20.*

masters within half a mile of pilot shall facilitate his getting on board; penalty, *id. ibid.* [*id. ibid.*

ships anchoring in the *Downs* within certain limits; how far exceptions, *Upper and lower-book pilots*:

compensation to upper-book pilots by lower-book pilots, for losses sustained on account of the increased pilotage permitted to the latter, 6 G.4. c.125. s.20.—183. pl.21.

to be made in what rates of payment, *id. s.21.—184. pl.22.*

to what other contributions lower-book pilots liable, *id. s.20.—183. pl.21.*

subject to lord warden of Cinque Ports, *id. s.21.—183. pl.22.*

number of,

not to exceed one hundred and twenty, till addition made by privy council on application by *Trinity-house*, *id. s.23.—184. pl.24.*

twenty may be added at such application, but the whole shall not exceed one hundred and eighty, *id. ibid.*

giving notice of reduction or addition in number, *id. ibid.*

how kept up, *id. ibid.*

Loadmanage court:

of what persons composed, and purposes for which held, *id. ibid.*

regulations for observance of Cinque Port pilots, how made and published by, *id. ibid.* [finally decide thereon, *id. ibid.*

objections to such regulations may be made to privy council, who shall owner of ship may appeal to privy council against such regulations, *id. s.22.—184. pl.23.*

Pilots and pilotage in general:

Licence:

bond on applying for, [pl.28.

to whom given, its penalty and condition, 6 G.4. c.125. s.27.—184. evidence, without stamp, *id. ibid.*

heretofore given, how far valid, *id. ibid.*

may be annulled, suspended, or forfeited, as *Trinity-house* or lord warden of Cinque Ports think meet, *id. s.29.—185. pl.30.*

pilot whose licence is annulled may appeal to privy council within six months, *id. s.30.—185. pl.31.*

description of his person shall be endorsed on, *id. s.65.—188. pl.66.*

shall be inspected by master when pilot comes on board, *id. ibid.*

duty of master if he suspects the pilot is not the person to whom the licence was granted, *id. ibid.*

registry of, to be made gratis, where, *id. s.66.—188. pl.67.*

no pilot to act as such till licence registered, or unless he has it ready to produce; penalty, *id. ibid.* [*id. s.67.—188. pl.68.*

shall be produced or yielded up to grantor on being required; penalty, on death of owner, shall be transmitted to grantors; penalty, *id. ibid.*

not to be lent; penalty, *id. s.74.—189. pl.75.*

Licensed pilots:

punishment of,

taking charge (as a *Trinity-house* of *Deptford Strond* or Cinque Port pilot) of ship drawing more water than pilot is qualified for, *id. s.3.—181. pl.4. s.16.—183. pl.17.*

making default (being a *Trinity-house* of *Deptford Strond* pilot) in paying three guineas annually, or 6*d.* poundage on pilotage earned, *id. s.4.—181. pl.5.*

of *Trinity-house* of *Deptford Strond*, or Cinque Port pilots taking more or less sums for pilotage than the rates fixed, *id. s.8.—182. pl.9. s.25.—184. pl.26.*

of party presuming to act as Cinque Port pilot without being examined and admitted, &c. *id. s.15.—183. pl.16.*

of Cinque Port pilot not plying at sea in certain limits, or not attempting to board vessel passing with signal for a pilot flying, or not going afloat on signal made of fleet coming from westward, *id. s.18.—183. pl.19.*

not exhibiting pilot's flag on board boat, *id. s.32.—185. pl.33.*

quitting a vessel in *Thames* or *Medway* before arrival at her destination therein; exceptions, *id. s.42.—186. pl.43.*

writing false name in log-book, 6 G.4. c.125. s.43.—186. pl.44.

acting as pilot without having registered his licence, or having it ready to produce, *id. s.66.—188. pl.67.*

not delivering up licence to grantors when required, *id. s.67.—188. pl.68.*

in any way interested in any public-house or tavern, &c. *id. s.68.—188. pl.69.*

concerned in sale of wine, spirits, tea, or tobacco; exception, *id. ibid.*

convicted of any offence against customs or excise laws, *id. ibid.*

conniving at indirect practices or frauds on those revenues, *id. ibid.*

PILOTAGE — *Licensed pilots — continued.*

Punishment of, for,

conniving at or abetting spoil, fraud, &c. on vessels in distress, at sea, or wrecked, or on their tackle, &c. or cargo, or on crew, passengers, their money or goods, 6 G.4. c.125. s.68.—188. pl.69.

acting as pilot after suspension or adjudication, to forfeit licence, *id. s.69.—188. pl.70.*

declining or wilfully delaying to go off to, on board of, or to take charge of ship within his proper limits and qualification; exceptions, *id. s.72.—189. pl.73.*

quitting any vessel, or declining to pilot her after engaged or after going alongside, before the service performed, and without leave of commander, *id. ibid.* [sary, *id. s.73.—189. pl.74.*

employing any boat, anchor, cable, hawser, &c. beyond what is necessitating licence, *id. s.74.—189. pl.75.*

incapable of duty by drunkenness, *id. ibid.*

wilfully leading, decoying, or betraying any vessel into danger, *id. ibid.*

improperly cutting any cable, *id. ibid.* [niving thereat, *id. ibid.*

endeavouring to obtain charge of vessel by misrepresentation, or congoing into or coming out of *West India* dock, and not obeying orders of dock-master, *id. s.75.—189. pl.76.*

conducting vessel liable to perform quarantine into improper place, except driven thereto by stress of weather, 6 G.4. c.78. s.12.—203. pl.13.

not to be taken to sea beyond their limits without their consent; exception and recompence, 6 G.4. c.125. s.38.—185, 186. pl.39.

to what amount of damages liable for loss happening from neglect or want of skill while acting as such, *id. s.57.—187. pl.58.*

may supersede, in the charge of a ship, any person not licensed, or not licensed to act within such limits, or acting beyond the extent of his qualification, *id. s.70.—188. pl.71.*

Lists of pilots,

by whom to be made, and what to specify, *id. s.35.—185. pl.36.*

to whom, and when, and how often to be transmitted, *id. ibid.*

name of new pilot, how to be transmitted, *id. ibid.*

corrected list stating alterations in rates of pilotage, and regulations of pilots, to be annually transmitted, to whom, *id. ibid.*

Rates for pilotage,

authority for demanding, 6 G.4. c.125. s.25.—184. pl.26.

altering, &c. by *Trinity-house* of *Deptford Strond*, *id. s.8.—182. pl.9.*

by *Deptford Strond Trinity-house* pilots, 6 G.4. c.125., Sched. (A.) Tab. (A.) 191.

by Cinque Port pilots, *id. Sched. (A.) Tab. (B.) 192.*

when pilot put on board by boat from shore, *id. ibid.*

on ships without *British* registers one-fourth more; exception, 6 G.4. c.25., Sched. (A.) 192.

on ships having *British* registers,

against whom recoverable, *id. s.44.—186. pl.45.*

how levied after demand in writing made at least fourteen days before levy, *id. ibid.*

consignees, or agents of the ship, may retain money in their hands for pilotage expences, *id. s.45.—186. pl.46.*

Pilot vessels:

who may license, 6 G.4. c.125. s.31.—185. pl.32.

size and description of, *id. ibid.* [maintain them, *id. ibid.*

licensed pilots may constitute a joint stock company to provide and such vessels and company under what regulations to be, *id. ibid.*

how to be painted and marked, and what flag to be carried, *id. s.32.—185. pl.33.* [on each bow, *id. ibid.*

name of principal pilot thereof shall be painted on stern, and his number penalty, senior pilot on board, for hiding name or number, or on omission or evasion by any person, 20*l.*, *id. ibid.*

lists of vessels employed as, stating the number of men and boys in each, by and to whom, and when to be transmitted, *id. s.37.—185. pl.38.*

Quarantine:

copies of orders in council respecting quarantine shall be delivered to pilots, 6 G.4. c.125. s.36.—185. pl.37.

pilots shall inform commanders of ships of such orders on arrival, *id. ibid.*

full pilotage to be paid up to *Standgate Creek*, with 8*s.* a-day to pilot, for the days of quarantine, *id. s.41.—186. pl.42.* See 6 G.4. c.78. s.11.—203. pl.12. tit. QUARANTINE.

Boats, &c. not in pilot service,

[*id. s.32.—185. pl.33.*

but carrying a pilot, shall be distinguished by his flag; penalty, 20*l.*

using distinguishing marks of carrying a licensed pilot without having one on board; penalty, 100*l.*, *id. s.33.—185. pl.34.*

running before vessels to direct their course, when entitled to pilotage for whole distance run, *id. s.34.—185. pl.35.*

Vessels:

passing within certain described limits, [c.125. s.2.—181. pl.3.

when to be piloted by pilots of *Trinity-house* of *Deptford Strond*, 6 G.4.

when to be piloted by Cinque Port pilots, *id. s.14.—182. pl.15.*

exception for particular vessels, as well as for all ships in cases of distress, *id. s.61.—188. pl.62.*

of H. M. not compelled by this act to take a pilot, *id. s.86.—191. pl.87.*

nor *British* registered ships not exceeding 60 tons burden, *id. s.59.—188. pl.60.*

PILOTAGE — *Vessels — continued.*

what ships may be piloted by the masters, without licensed pilots, and in what situations, 6 G.4. c.125. ss.59, 60.—188. pl.60, 61.
or by master or mate, being owner or part-owner of vessel, *id.* s.62.—188. pl.63. [incurring penalties, *id.* s.63.—188. pl.64.
may be removed in harbour, or for changing her moorings without removing, &c. in *West India* docks, *id.* s.75.—189. pl.76.
penalty on master acting as pilot himself; employing as pilot any unlicensed person, or licensed pilot acting out of his limits, after licensed pilot has offered to take charge of the ship, or made signal for that purpose, *id.* s.58.—187. pl.59.
owner or master,
when answerable for loss happening from no licensed or duly qualified pilot being on board, *id.* s.53.—187. pl.54.
not liable for any loss beyond the value of ship and freight of the voyage, *id.* s.54.—187. pl.55.
nor for loss from neglect, &c. of licensed pilot having charge of ship, and duly qualified to have such charge, or when no qualified pilot offered, *id.* s.55.—187. pl.56. [*id.* s.56.—187. pl.57.
remedy on contracts of insurance, when taken away by neglect of master, draught of water of,
falsely reporting to pilot, or altering marks on stern denoting it; penalty, *id.* s.64.—188. pl.65.
duty of master who suspects a party taken on board as a pilot is not the party named in the licence, *id.* s.65.—188. pl.66.
assuming or continuing in charge of a ship without licence, or licence for the limits where the ship is, or beyond extent of qualification, after duly licensed and qualified pilot has offered to take the charge; penalty, *id.* *ibid.* [—188. pl.72.
exception for case of distress, or where no such offer made, *id.* s.71.
person acting as pilot,
incapable of duty by drunkenness, or wilfully decoying, &c. any vessel into danger, *id.* s.73.—189. pl.74.
improperly cutting cable, *id.* *ibid.* [niving thereat, *id.* *ibid.*
endeavouring to obtain charge of vessel by misrepresentation, or conflag denoting pilot-boat, penalty on boat or vessel hoisting, *id.* s.33.—185. pl.34.
log-book,
pilot to write his name in, *id.* s.43.—186. pl.44.
writing false name in; penalty, *id.* *ibid.*
entry or report inwards on coming into port of *London*,
name of pilot to be inserted in by customs officer without fee, *id.* *ibid.*
to be rejected if name not so inserted, *id.* *ibid.*
the names to be reported daily to *Trinity-house*, monthly to warden of *Cinque Ports*, *id.* *ibid.*
penalty for neglect, *id.* *ibid.*
clearance outwards,
officer at *Gravesend* to take pilot's name, *id.* s.43.—186. pl.44.
and to transmit list monthly to *Trinity-house*; penalty for neglect, *id.* *ibid.*
Foreign vessels, or vessels not having British registers:
one-fourth greater rate of pilotage payable by, than by *British* ships. See 6 G.4. c.125. Sched. (A.) Tabs. (A.) (B.) 191, 192.
foreign ships of sixty tons or under, need not take a pilot on board, when, 4 G.4. c.77. s.3.—212. pl.9.
entering into, or sailing from, port of *London*, and piloted by *Trinity-house* pilots,
what rates of pilotage inwards and outwards are payable, and where, and by and to whom, and how recoverable, 6 G.4. c.125. s.46.—186. pl.47.
outward pilotage how ascertained, *id.* s.49.—187. pl.50.
certificate of payment shall be given and produced in order to clearance out, *id.* s.47.—186. pl.48.
pilotage money, how and when paid over to pilot, *id.* *ibid.*
reward to unlicensed person who has conducted or assisted such ship, *id.* s.48.—186. pl.49.
the surplus pilotage payable by, to go to fund of pilots of *Trinity-house* of *Deptford Strond*, *id.* s.47.—186. pl.48., and see s.52.—187. pl.53.
bringing fish, corn, or provisions to *London*, [*id.* s.51.—187. pl.52.
power of *Trinity-house* to relieve or exempt from paying pilotage, draught of water of,
controversies concerning, how settled, *id.* s.50.—187. pl.51.
power of *Trinity-house* herein, *id.* *ibid.*
admeasurement and fee, *id.* *ibid.*
surplus pilotage payable by, in general,
to be carried to pilots' funds of *Trinity-House* of *Deptford Strond*, and *Cinque Ports* respectively, *id.* s.52.—187. pl.53.
application of, *id.* *ibid.* [*Cinque Ports*, *id.* *ibid.*
how paid over to receivers of *Trinity-house*, of *Deptford Strond*, and annual account of, to be laid before parliament, *id.* *ibid.*
Penalties inflicted by this act, or the bye-laws made under its authority:
if exceeding 20*l.*, or if the sum proceeded for exceeds 20*l.*
how, and within what time recovered and levied, 6 G.4. c.125. s.76.—189. pl.77.
proceedings for the largest penalties recoverable in any case, *id.* *ibid.*

PILOTAGE — *Penalties — continued.*

if not exceeding 20*l.*, or if party proceeds for 20*l.* though a larger penalty is inflicted, [—189. pl.78.
how, and within what time recovered and levied, 6 G.4. c.125. s.77.
limitation of proceeding in both cases; what judge may extend the time for proceeding, and when, *id.* *ibid.*
application of such penalties to pilots' funds, *id.* s.83.—190. pl.84.
backing warrants on escape into another county, before or after conviction, *id.* s.78.—190. pl.79.
witnesses, [hended, *id.* s.79.—190. pl.80:
summoned under this act, and neglecting to appear, may be apprehending to be examined on oath concerning the premises, may be imprisoned, for what time, *id.* *ibid.*
perjury by, *id.* s.80.—190. pl.81.
conviction,
form of, *id.* s.81.—190. pl.82.
not removable by *certiorari*, *id.* *ibid.*
proceedings under this act not to be quashed for want of form only, *id.* *ibid.*
appeal to quarter sessions, limitation, notice, recognizance, *id.* s.82.—190. pl.83.
Miscellaneous:
Actions for any thing done in pursuance of this act,
limitation, *id.* s.84.—190. pl.85.
Bye-laws, &c. made under 48 G.3. c.104., or 52 G.3. c.39., in force (till duly annulled), as if made under this act, 6 G.4. c.125. s.28.—185. pl.29.
Privy council, appeal to,
by majority of pilots licensed by *Trinity-house* of *Deptford Strond*, for particular port, against the rates established, *id.* s.9.—182. pl.10. [s.30.—185. pl.31.
by pilot aggrieved by suspension or forfeiture of licence, 6 G.4. c.125.
by party complaining against pilot, and dissatisfied with adjudication of *Trinity-house*, &c. therein, *id.* *ibid.* [s.52.—187. pl.53.
pilots' fund, of *Trinity-house* of *Deptford Strond*, 6 G.4. c.125. s.4.—181. pl.5., of *Cinque Ports*, *id.* s.52.—187. pl.53.
Former acts relating to pilotage,
how far repealed, 6 G.4. c.125. s.1.—181. pl.2. [pl.86.
local pilotage acts not to be hereby altered or repealed, *id.* s.85.—190.
Trinity-house of *Deptford Strond*, to have no power where local acts extended, *id.* s.89.—191. pl.90.
where they refer or apply to 48 G.3. c.104., or 52 G.3. c.39., or either of them, shall be deemed to refer to this act, *id.* *ibid.*
Jurisdiction of, [pl.88.
court of loadmanage, saved as to pilots appointed by it, *id.* s.87.—191.
court of admiralty saved, *id.* *ibid.*
mayor and city of *London* on *Thames* saved, *id.* s.88.—191. pl.89.
Lights, vessels exhibiting,
protection of, 6 G.4. c.125. s.90.—191. pl.91.
penalties for making fast to, removing, running down, or foul of such vessels, *id.* s.91.—191. pl.92. [pl.3. See *JURY*.
Pilots, when exempted from serving on juries, 6 G.4. c.10. s.2.—119.

PIRACY. (page 192.)

Bounty to crews of H. M.'s ships, or hired armed ship actually present at the taking, &c. a pirate ship, for every pirate taken or killed, or not taken or killed, but alive on board at the beginning of the attack, what, 6 G.4. c.49. s.1.—193. pl.2.
what evidence of number of crew of pirate ship will suffice, *id.* *ibid.*
bill for amount of bounty, how drawn on navy commissioners, and assigned for payment to the treasurer of navy, *id.* s.2.—193. pl.3.
actually paid to crews, by prize agents, *id.* *ibid.*
Restoring vessel, boat, goods, &c. belonging to H. M.'s subjects on payment of one-eighth salvage, *id.* s.3.—193. pl.4.
Deserters not entitled to bounty or salvage, *id.* s.4.—193. pl.5.
share of, shall be paid over to treasurer of *Greenwich Hospital*, *id.* *ibid.*
Prize agents,
to exhibit and register their letters of attorney in the courts where the proceedings respecting bounty or salvage are had, *id.* s.5.—193. pl.6. [220. pl.11.

Breach of slave-trade laws deemed piracy, when, 5 G.4. c.113. s.9.—

POLICE. (pages 192—200) (See *THAMES POLICE*.)

Police offices in Middlesex and Surrey:

Enumerated, 3 G.4. c.55. s.1.—193. pl.2. [—195. pl.18.
H. M. may alter the places where such offices shall be situate, *id.* s.16.
Shall be continued, *id.* *ibid.*
Police magistrates
shall execute their duties of justices of peace there, together with such other county justices as attend, *id.* *ibid.*
vacancy of police magistrates, how filled up, *id.* *ibid.*
hours of attendance by police magistrates, what, *id.* s.9.—193. pl.3.
may be altered by H. M., *id.* s.16.—195. pl.18. [pl.7, 8.
salary, 800*l.* to each justice, 3 G.4. c.55. s.6., 6 G.4. c.21. s.1.—194.
not to be M. P. or vote at elections for *Middlesex*, *Surrey*, *Westminster*, or *Southwark*, or persuade electors to give or not to give their votes penalty, *id.* s.14.—195. pl.16.

POLICE — Police Offices in Middlesex and Surrey — continued.

jurisdiction of police magistrate where law directs a justice residing near the parish where any matter arises to do any act, 3 G.4. c.55. s.15.—195. pl.17.

Police officers in general: (See THAMES POLICE.)

shall be appointed by the justices, or two of them, to act as constables within *Middlesex, Surrey, Essex, and Kent*, 3 G.4. c.55. s.4.—194. pl.5.

may be suspended or dismissed by the justices, *id. ibid.*

not to vote at what elections, or to persuade, &c. electors; penalty, *id. s.14.—195. pl.16.* [*id. s.6.—194. pl.7.*

rewards to, allowance to, on being disabled or worn out with service,

Police officers, and horse and foot patrol of Bow-Street office:

shall be sworn in by chief magistrate to act as constables for *Middlesex, Surrey, Essex, and Kent*, *id. s.25.—197. pl.27.*

and also within the royal palaces of H. M. and ten miles thereof, 6 G.4. c.21. s.2.—197. pl.28. [197. pl.27.

powers of, under this act, to cease on dismissal, 3 G.4. c.55. s.25.—

powers, &c. of *Bow-Street* establishment shall continue at any office substituted for the office in *Bow-Street*, 6 G.4. c.21. s.3.—200. pl.54.

Receiver for police-offices,

who may be, and his duty, 3 G.4. c.55. s.3.—193. pl.4.

salary, *id. s.13.—195. pl.15.*

68000*l. per ann.* to, for expences of police offices, *id. s.6.—194. pl.7.*

sums paid for fees, &c. shall be paid over to, and applied to pay expences, &c., *id. s.9.—194. pl.11.*

how sued, where after resignation or removal from the office, the money is not paid over to successor, *id. s.11.—195. pl.12.*

receiver for time being may sue for balance in hands of deceased receiver, *id. s.12.—195. pl.13.*

Fees,

no justice for *Middlesex, Surrey, Westminster, or Tower* liberty, or his clerk (except at the public offices) shall take, for any act done in execution of his office within the weekly bills, or *Marylebone, Paddington, St. Pancras, Kensington, St. Luke, Chelsea*; penalty 100*l.*, 3 G.4. c.55. s.7.—194. pl.9.

to what fees this provision does not extend, *id. ibid.* [pl.10.

tables of, to be hung up in police offices, 3 G.4. c.55. s.8.—194.

any justice at such offices may refuse to proceed till paid, *id. ibid.*

how recovered and levied, if not paid, *id. ibid.* [194. pl.11.

accounts of, how kept and verified, and to whom delivered, *id. s.9.—*

shall be paid over to receiver, *id. ibid.*

received, and not so paid over, how recovered, *id. s.11.—195. pl.13.*

Summons,

by justice of peace of *Middlesex* or *Surrey* requiring persons residing in weekly bills or the above parishes, to appear at place out of same to answer complaint touching any matter arising within the same, is void, 6 G.4. c.21. s.6.—200. pl.57.

Fairs within ten miles of Temple Bar,

business and amusements to cease at eleven P. M., and not to begin before six A. M., 3 G.4. c.55. s.17.—195. pl.19.

house, shop, room, booth, &c. waggon, or other place open for either purpose, in or within 300 yards of place where fair held, during prohibited hours,

penalty on master or person in case thereof, *id. ibid.*

and on any other person therein not quitting forthwith, on being bidden by constable, &c. *id. ibid.*

how recovered, and punishment if not paid, *id. ibid.*

declaration of their illegality,

when may be made by petty sessions, *id. ibid.*

notice of, how given, *id. ibid.* [next term, &c. *id. ibid.*

shall not be given, if owner of fair give recognizance to appear in removal of booths, tents, carriages, &c., and apprehending persons pitching, &c. former, or conveyed in latter, or resorting to ground with shows, &c. after, penalties and imprisonment, *id. ibid.*

Penalties recovered at either of the police offices, or at Bow-Street,

what shares of, shall be accounted for and paid over to the receiver, 3 G.4. c.55. s.10.—194. pl.12.

Coffee shops;

within what limits affected hereby, 3 G.4. c.55. s.18.—196. pl.20.

when to be shut at night, and opened in the morning, *id. ibid.*

penalty if opened within the prohibited hours, or if any person found therein, though closed, *id. ibid.*

conviction,

form of, *id. s.20.—196. pl.22.*

not to protect from prosecution for keeping a disorderly house, *id. s.18.—196. pl.20.*

licensed public-houses not hereby affected, *id. ibid.*

Blowing horns or using other noisy instruments for hawking any article;

within what hours prohibited, *id. s.19.—196. pl.21.* [*ibid.*

offender may be apprehended by any person and taken before justice, *id. penalty,*

what, and how recovered and applied, *id. ibid.*

if not paid, offender how punished, *id. ibid.*

conviction for, form, *id. s.20.—196. pl.22.*

POLICE — continued.

Suspected persons and reputed thieves,

what persons frequenting different enumerated parts of the metropolis and *Thames* with intent to commit felony, shall be deemed to be, 3 G.4. c.55. s.21.—196. pl.23.

may be apprehended by any person, and how dealt with, *id. ibid.*

on conviction of being there with such intent, shall be deemed a rogue and vagabond, *id.* and see 6 G.4. c.26. s.7.—200. pl.58.

conviction in such case,

form of, 3 G.4. c.55. s.22.—196. pl.24.

appeal from, *id. s.23.—197. pl.25.*

Bullock-hunting;

additional penalty for pelting, hunting, or setting dogs at cattle, *id. s.24.—197. pl.26.*

Watchmen and patrols;

within what limits may be suspended or dismissed by two acting justices for incompetency, negligence, or misconduct, *id. s.26.—197. pl.29.*

cannot be re-appointed after dismissal or during suspension, *id. ibid.*

notice of suspension shall be given to the local authorities appointing them, *id. ibid.*

justices may appoint a successor, when, *id. ibid.* [197. pl.30.

shall not be employed if above forty years old, unless when, *id. s.27.—*

allowance to superannuated watchmen, beadles, or patrols, *id. s.28.—*

197. pl.31.

Night-constables;

may take bail by recognizance, within what hours, *id. s.29.—197. pl.32.*

shall take same gratis for appearance, when and where, *id. ibid.*

recognizance taken by, *id. ibid.*

effect of, *id. ibid.*

to be entered in a book, with what particulars, *id. ibid.*

to lay such book before whom, and when, *id. ibid.*

how proceeded with, if party does not appear, *id. ibid.*

duty of clerk as to recognizances, *id. ibid.*

power to enlarge and discharge them gratis, *id. ibid.*

Street or square keepers, theatre constables, &c.;

appointed on request of inhabitants or proprietor of place of public resort, to keep the peace therein, 6 G.4. c.21. s.4.—200. pl.55.

within what limits, *id. ibid.*

wages of, paid by inhabitants, &c., *id. ibid.*

Convictions under 3 G.4. c.55. [3 G.4. c.55. s.23.—197. pl.25.

not to be quashed for want of form, or removed by *certiorari* into K. B.,

Appeals;

when and to what sessions allowed, *id. ibid.*

recognizance, *id. ibid.*

proviso, if conviction as reputed thief is affirmed on, *id. ibid.*

Miscellaneous;

police act, 3 G.4. c.55. public act, *id. s.50.—200. pl.53.* to continue for seven years from 5th July 1822, *id. s.49.—200. pl.52.*

saving for rights of city of *London, Trinity-house, Deptford Strond*, dean and chapter, high steward, and high bailiff of *Westminster*, *id. s.47.—200. pl.50.* [See *ALHOUSE.*

licensed victualler not to be an officer of, 3 G.4. c.77. s.19.—5. pl.20.

POOR. (pages 200, 201.)

Settlement:

by renting a tenement, or paying parish rates for same,

the 59 G.3. c.50. as to, repealed, 6 G.4. c.57. s.1.—200. pl.2.

tenement,

nature of, in order to confer a settlement, *id. s.2.—201. pl.3.*

annual rent must be 10*l.* a year at the least, *id. ibid.*

must have been paid for one year, *id. ibid.*

must be rented for one whole year, *id. ibid.*

must be occupied under such yearly hiring, *id. ibid.*

actual value of, need not be proved, *id. ibid.*

PRISON AND PRISONER. (page 201.) See GAOL.**PRIVATE BILLS.**

Taxation of costs on private bills in House of Commons, 6 G.4. c.123. ss.1, 2. —177. pl.10, 11.

PRIVATELY STEALING.

In any shop, warehouse, coach-house, or stable, how punished, 4 G.4. c.53. —175. pl.15.

PRIZE. (page 201.)

Bankruptcy or insolvency of any person having same in his hands,

who to prove and receive dividends, 5 G.4. c.107. s.3.—33. pl.15. See *CHELSEA, &c.* [PERSONATING.

False personating to receive, how punished, *id. s.5.—34. pl.17.* See *FALSE*

Prize orders,

the 58 G.3. c.70. s.6. as to, altered, *id. s.6.—34. pl.18.*

made by non-commissioned officers or soldiers, to persons other than regimental agents,

Chelsea hospital to direct payment to be made thereon, *id. ibid.*

who may receive money under, *id. ibid.* [money,

Stats. 47 G.3. sess.1, c.47. and 48 G.3. c.100. for distribution of prize extended to captures therein described, made by foreign ships or land forces in conjunction with H. M.'s ships or land forces, 4 G.4. c.65.—201. tit. PRIZE, pl.2.

QUAKER.

The 7 & 8 W.3. c.24. not repealed, 6 G.4. c.50. s.63.—126. pl.64.

QUARANTINE. (pages 201—206.)

All former acts concerning quarantine repealed from 1st June 1825., 6 G.4. c.78. s.1.—201. tit. QUARANTINE, pl.2. [quarantine in general;

Powers of the act, and of orders in council; liability to, and performance of what vessels, boats, and persons, goods, letters, &c. on board shall be liable to quarantine, 6 G.4. c.78. s.2.—201. pl.3.

whether bound to any part of U. K., Jersey, Guernsey, Alderney, Sark, or Man, or not, or before or after arrival there, *id. ibid.*

quarantine, how and where performed, *id. ibid.* [id. *ibid.*

licence to land persons or goods can only be given by order in council, vessels and boats liable to quarantine, and the masters thereof, shall be subject to this act, and orders in council, *id. ibid.*

goods specified in order in council as especially liable to retain infection, and vessels arriving from suspected places, or under alarming circumstances as to infection, shall be subject to regulations of orders in council, *id. s.5.—202. pl.6.*

Evidence of liability to quarantine;

answer of commander of vessel to question put to him by virtue of this act, &c. shall be evidence till rebutted, of place from which vessel came, or at which it touched, *id. s.36.—205. pl.37.*

a vessel's being in fact put under quarantine shall be proof of its being liable, *id. ibid.*

Order of privy council relating to,

publication of, in *London Gazette*, or H. M.'s proclamation, is sufficient notice of its contents, *id. s.31.—205. pl.32.*

two or more privy counsellors may make, on emergency, or on ship arriving under suspicious circumstances as to infection, *id. s.6.—202. pl.7.*

so for cutting off all communication between parties infected in the U. K., and the rest of H. M.'s subjects, *id. ibid.*

so for shortening time of quarantine or releasing ships, persons, goods, &c., therefrom, *id. ibid.*

Lord lieutenant and privy council in Ire.;

in case of urgency may direct place, time, and manner of performing quarantine by ships, persons, goods, &c., arriving in Ire., *id. s.4.—202. pl.5.*

such orders to be notified by proclamation, *id. ibid.*

persons, goods, &c. in quarantine may be brought on shore if licensed by their order, *id. ibid.* [concerning quarantine, *id. ibid.*

what vessels, boats, persons, goods, &c. are subject to such orders publication in *Dublin Gazette* sufficient notice of such order, *id. ibid.*

Vessels arriving from foreign ports;

commander on arrival, shall give pilot an account of the places at which they have laden and touched; penalty, 100*l.*, *id. s.11.—203. pl.12.*

pilot shall thereupon immediately give notice of any proclamation or order in council respecting performance of quarantine; penalty, 100*l.*, *id.* (See 6 G.4. c.125. ss.36. 41.—186. pl.37. 42. tit. PILOTAGE.)

proper signal to be hoisted thereupon, *id. ibid.* (See ante.)

shall also give pilot a written account of the articles comprising the cargo; penalty, 50*l.*, 6 G.4. c.78. s.12.—203. pl.13.

if any of them make the vessel liable to quarantine, pilot shall inform him; penalty, *id. ibid.*

proper signal shall be hoisted; penalties, *id. ibid.*

pilot, who after receiving, or without demanding above papers, shall conduct vessel liable to quarantine into improper place,

forfeits 200*l.* unless compelled thereto by stress of weather, &c., *id. ib.*

shall bring to vessel, that commander may be interrogated by customs officer in quarantine service; penalty, 100*l.*, *id. s.13.—203. pl.14.*

leaving vessel liable to quarantine, may be compelled to return on board, besides fine and imprisonment, *id. ibid.* [prevails;

Vessels having touched in the West Indies or America while yellow fever, &c. may be ordered by privy council to certain places in order to ascertain health of crew, id. s.3.—201, 202. pl.4. [id. *ibid.*

but not deemed liable to quarantine unless afterwards specially ordered, *Vessels in which plague or other infectious disease shall appear within or without the Straits of Gibraltar;*

regulations, and penalty 100*l.* for disobedience, *id. s.7.—202. pl.8.*

Vessels from the Mediterranean, Turkey, or Africa;

having undergone examination, and released from quarantine, shall be admitted to entry on producing a certificate of such examination, *id. s.22.—204. pl.23.*

Vessels and boats under one hundred tons burden;

may be prevented by H. M.'s proclamation from leaving U. K., Guernsey, &c., in certain cases of infection in U. K. France, Spain, Portugal, or Low Countries, till bond be given by the master conditioned not to touch at certain places, 6 G.4. c.78. s.27.—205. pl.28.

penalty for sailing without giving such security, forfeiture of vessel, &c., and 200*l.*, *id. ibid.*

QUARANTINE — continued.

Signals of liability to quarantine:

masters of vessels liable to quarantine shall make signals on meeting other vessels at sea, or being within two leagues of the U. K. or Guernsey, &c., 6 G.4. c.78. s.8.—202. pl.9.

different signals where master has or has not clean bills of health; described, *id. ibid.*

how long to be kept hoisted, *id. ibid.*

penalty of 100*l.* for failure herein, *id. ibid.*

hoisting by vessels known by master not to be liable to quarantine, penalty, 50*l.*, *id. s.10.—202. pl.11.*

Signals to denote plague or infectious disease on board;

shall be hoisted, when, 6 G.4. c.78. s.9.—202. pl.10.

different by day and night, described, *id. ibid.*

penalty 100*l.* for failure herein, *id. ibid.*

Commander of vessel coming from foreign parts,

neglecting to bring to his vessel on being required by customs officer authorized to act in quarantine service; penalty, 100*l.*, *id. s.13.—203. pl.14.*

quitting, or suffering person to quit ship before quarantine performed, or not conveying vessel and lading to the appointed places; penalty, 400*l.* *id. s.17.—203. pl.18.*

Persons arriving in vessel liable to quarantine, or pilots or others going on board;

quitting vessel before regular discharge from quarantine may be compelled to return on board; imprisonment for six months, and 300*l.* penalty, *id. ibid.*

Persons under, or liable to performance of quarantine, and persons having intercourse with them;

to whose orders subject, *id. s.18.—204. pl.19.*

may be compelled to repair to lazaret or vessel, *id. ibid.*

refusing so to do; penalty 200*l.*, *id. ibid.*

escaping or attempting to escape from vessel, lazaret, &c. may be forcibly compelled to return, *id. ibid.*

quitting vessel, lazaret, &c., may be apprehended and committed to separate confinement till what further order, *id. s.19.—204. pl.20.*

Ascertaining whether vessel attempting to enter port in U. K. is actually infected, or whether crew, passengers, or cargo are liable to orders respecting it;

questions shall be put to master how, and answers how returned, *id. s.14.—203. pl.15.*

penalty on master refusing to answer, or giving false answer, 200*l.*, *id. s.14.—203. pl.15.*

vessels found subject to quarantine arriving at any other port than that at which it ought to be performed, may be forced to repair to the appointed place, *id. s.15.—203. pl.16.*

penalty on masters of vessels having touched at infected places, &c., and omitting to disclose same, or to hoist the prescribed signal, 300*l.* *id. ibid.*

commander shall deliver up bills of health, manifests, and log-book, to superintendent of quarantine; penalty 100*l.*, *id. s.16.—203. pl.17.*

Station for vessels performing quarantine;

intercourse with may be prohibited by order in council, *id. s.20.—204. pl.21.*

going with any vessel or boat within limits of; penalty, 200*l.*, *id. ibid.*

Officers of quarantine;

embezzling goods performing quarantine, or guilty of breach of duty therein, shall forfeit their office and 200*l.* *id. s.21.—204. pl.22.*

deserting their duty, or permitting vessels, persons, goods, &c. to depart, or be carried away without order of H. M. in council, or of two privy counsellors, or giving false certificate of due performance of quarantine, guilty of felony, *id. ibid.* [suit to owner, *id. ibid.*

damaging goods performing quarantine; penalty 100*l.*, and full costs of

Goods, &c. liable to perform quarantine;

how, and where opened and aired, *id. s.24.—204. pl.25.*

damaging, embezzling, &c., removing, conveying, &c., from ship, &c., or lazaret, by officers of quarantine, *id. s.21.—204. pl.22.*

landing, unshipping, or moving in order thereto, any goods, baggage, wearing apparel, books, letters, or other articles from on board ship liable to quarantine; penalty 500*l.*, *id. s.26.—205. pl.27.*

clandestinely conveying, or secreting, or concealing for the purpose of conveying any letters, goods, &c., from vessel, &c., or lazaret; penalty, 100*l.*, *id. ibid.*

Certificate of performance of quarantine;

by whom, and on what proof granted, *id. s.23.—204. pl.24.*

to whom produced in order to discharging vessels, persons, &c. from quarantine, *id. ibid.*

forging, interlining, altering, or knowingly publishing or uttering forged certificate, felony, *id. s.25.—204. pl.26.*

Consuls and vice-consuls of H. M.;

may administer oaths respecting quarantine, *id. s.28.—205. pl.29.*

Oaths required by this act;

persons authorized to take examinations may administer, *id. s.29.—205. pl.30.*

perjury in, *id. ibid.*

Superintendants of quarantine and assistants;

appointed by commissioners of customs, *id. s.30.—205. pl.31.*

duty of, performed by what customs officer, in case of their sickness or absence, *id. ibid.*

QUARANTINE — continued.

Penalties incurred for offences against this act; [s. 32.—205. pl. 33.
how recovered in courts of H. M.'s *European* dominions, 6 G.4. c.78.
shall go, two-thirds to informer, and one-third to H. M., *id. ibid.*
actions for,
must be commenced in name of the attorney-general, &c., or by
direction of board of customs, *id. s.33.—205. pl. 34.*
by officers of customs, may be stopped by attorney-general, &c., how,
id. s. 34.—205. pl. 35. [*&c. is provided;*
Offences against this act, not being felonies, and for which no specific penalty,
may be determined before three justices, who may fine not exceeding
500*l.*, or imprison not exceeding twelve months, to be applied as
in s. 32., *id. s. 35.—205. pl. 36.*
Actions for things done in execution of this act;
general issue; limitation, six months; treble costs, *id. s. 37.—206. pl.38.*

R.

RECEIVERS OF STOLEN GOODS. See OFFENCE, &c.

Of choses in actions, bills, warrants, notes, orders, checks, &c.,
punishable for felony or misdemeanor as receivers of stolen goods
are now punishable, 3 G.4. c. 24. s.1.—173. pl. 2.
enactments relating to the search for and discovery of stolen goods, and
apprehending and punishing receivers or buyers thereof, extended to
receivers, &c. of the above, *id. s.2.—173. pl. 3.*
accessary may be convicted as well before as after trial of principal felon,
id. s. 3.—173. pl. 4.
Of stolen goods, knowing them to have been stolen, may be imprisoned
with hard labour, 3 G.4. c. 114.—173. pl. 6.
a person may be advertised as such, when, 3 G.4. c.55. s.37.—199. pl.40.

REGISTER. See MARRIAGE; SHIPPING.**RESCUE.**

of prisoners in gaol, 4 G.4. c.64. s.4.—96. pl.70. See GAOLS.
of persons in lawful custody, 4 G.4. c.54. ss.1, 2.—175. pl. 17, 18. See
OFFENCE, &c.

REVENUE. (page 206.)

Offices in management and collection,
what oaths dispensed with, 5 G.4. c.79.—206. pl. 2.
the 5 G.4. c.79. repealed as to the customs, 6 G.4. c.105.—206. pl. 1.
Prosecution of offenders against laws of,
avertment of order for,
proves itself, when, 5 G.4. c. 94.—206. pl. 4.
repealed as to the customs, 6 G.4. c.105.—206. pl. 3.

RICKS.

Setting fire to, or destroying, by rioters, see 3 G.4. c. 33. s.1. tit. **MALICIOUS**

RIOT. See MALICIOUS MISCHIEF.

The 19 H.7. c.13. repealed, 6 G.4. c.50. s.62.—126. pl. 63.

ROBBERY.

Assault with intent to commit, see ASSAULT.

ROYAL EXCHANGE.

Assurance Company. See INSURANCE.

S.

SAINT PETERSBURGH.

Marriages when one or both parties were subjects, solemnized since 20th June
1807, or hereafter, at *St. Petersburg*, by the chaplain to the *Russia*
Company, or a member of the church of *Eng.* before witnesses, shall
be as good as if solemnized before the abolition of the *British* factory
there, 4 G.4. c.67.—143. pl.15, 16.

SEA-MARK. (page 206.)

Masters of vessels in buoy and light service exempted from juries, 6 G.4.
c. 50. s.2.—119. pl.3. See JURY.

The 3 El. c.13. touching, amended, 6 G.4. c.125. ss.90, 91. See PILOTAGE.

SEAMEN. (page 207.)

Master of ship trading to H. M.'s plantations in *West Indies*, need not have
apprentice on board, 4 G.4. c.25. s.1.—207. tit. SEAMEN, pl.2.
repealed, how far, 6 G.4. c.105. s.367.

Belong *Lascars*, &c. See EAST INDIA COMPANY.

SERJEANT AT ARMS.

Sale of certain offices under, prohibited, 6 G.4. c.123. ss.3, 4.—177, 178; [pl.12, 13.

SERJEANT AT LAW. (page 206.)

Barrister may be made in vacation, 6 G.4. c.15.—206. pl.2.

Exempted from serving on juries, 6 G.4. c.50. s.2.—119. pl.3.

SERVANTS. (page 207.)

Counselling, &c. to commit larceny, 3 G.4. c.38. s.3.—1. pl.2.

To be paid their wages in full out of bankrupt's estate, 6 G.4. c.16. s.48.—
16. pl.70. See BANKRUPT.

Clerks, apprentices, or other servants, [3 G.4. c.38. s.2.—207. pl.2.
stealing choses in action or other effects entrusted to him, how punished,
so if entitled to benefit of clergy, *id. ibid.*

SERVICES PUBLIC. (pages 207—211.)

The act 3 G.4. c.115. extends to,
all civil offices and departments in U. K. enumerated in the schedule
3 G.4. c.113. s.7.—208. pl. 8. See Schedule, 210. pl. 27.
and to such other offices and departments as the treasury may add to that
list, *id. ibid.*

reasons for so doing to be stated in treasury warrant and laid before
parliament, *id. ibid.*

offices which cannot be added to such list:

military or naval offices, or allowances in lieu of half-pay, *id. ibid.*

offices in H. M.'s courts of justice or receipt of exchequer, *id. ibid.*

offices relating to which the granting allowances for past service has
been specially regulated by statute, *id. ibid.*

offices held as sinecures, or executed principally by deputy, *id. ibid.*

Superannuation allowances of public officers;

rates of, 3 G.4. c.113. s.1.—207. pl. 2.

by what authority granted, *id. s.3.—207. pl.4.*

shall not be granted to officer under sixty-five years old, except on what
certificates, &c., *id. s.4.—207. pl.5.* [s.5.—207. pl.6.

special, unauthorized by this act, when may be granted by treasury, *id.*
annual accounts of, making up, and laying before parliament, *id. s. 6.—*
207. pl.7.

payable in the whole out of funds of respective departments, 5 G.4. c.104.
s.2.—208. pl.11.

Contribution by officers out of salaries in order to create superannuation
funds;

so much of 3 G.4. c.113. as relates to deductions from salaries of officers
to whom superannuation may be granted under this act, in order to
create, repealed 5 G.4. c.104. s.1.—208. pl.10.

all contributions made under that act for that purpose, shall be repaid,
id. s.3.—208. pl.12.

repealed provisions, 3 G.4. c.113. s.2.—207. pl.3., s.9—22.—208.
210. pl.13—26.

Forging, counterfeiting, or altering, or causing, assisting, &c. any certifi-
cate, order, appointment, or receipt made under this act with intent to
defraud, felony without clergy, 3 G.4. c.113. s.23.—210. pl.27.

SET OFF.

Between bankrupt and another, 6 G.4. c.16. s.50.—16. pl.72. See BANK-
RUPT.

Between factors, debtor, and principal, 6 G.4. c.94. s.6.—81. pl.9. See
FACTOR AND MERCHANT.

SHERIFF. See GAOLS, &c.

Right of, to appoint or remove keeper of county gaol, &c. not affected by
s.25. of this act, 4 G.4. c.64. s.12.—92. pl.33. See s.25.—93. pl.47.

Responsibility of, only extends to prisoners confined in the gaol part of any
united or contiguous buildings used as a gaol and house of correction,
4 G.4. c.64. s.6.—90. pl.27.

Office of, within 4 G.4. c.64., how performed in districts, cities, towns, &c.
where he has no jurisdiction, 4 G.4. c.64. s.74.—102. pl.107.

Officers of, exempted from serving on juries, 6 G.4. c.50. s.2.—119. pl.3.
See JURY.

The 23 H.6. c.9. repealed 6 G.4. c.50. s.62.—127. pl.63.

Levying fines by. See FINES AND AMERCIAMENTS.

SHIPPING (FOREIGN). (pages 211, 212.)

Duties, bounties, and drawbacks:

On goods imported into or exported from the U. K. or H. M.'s dominions
in foreign ships, [pl. 2.

same as if imported or exported in *British* ships, 4 G.4. c.77. s.1.—211.

power of H. M. herein, *id. ibid.*

order in council, how published, *id. ibid.*

what proof required in first instance, *id. ibid.*

additional or countervailing,

power of H. M. herein, *id. s.2.—211. pl.3.*

to what extent, and when impossible, *id. ibid.*

how levied and recovered, *id. s.3.—211. pl.6.* [211. pl.7.

may be increased, diminished, removed, and again imposed, *id. s.4.—*

Tonnage duties on foreign ships using *British* ports,

additional or countervailing,

power of H. M. herein, 5 G.4. c.1. s.3.—211. pl.4.

to what extent, and when impossible, *id. ibid.*

how levied and recovered, *id. s.5.—211. pl.6.* [s.6.—211. pl.7.

may be increased, diminished, removed, and again imposed, when, *id.*

same as on *British* ships in *British* ports,

power of H. M. herein, *id. s.4.—211. pl.5.*

what proof required in first instance, *id. ibid.*

indemnity to person concerned in issuing order in council for charging
tonnage duty on ships of the United States in *America*, in *British*

West India ports, *id. ss.1, 2.—211. pl.8.* [—212. pl.10.

Orders in council touching, to be laid before parliament, 4 G.4. c.77. s.6.

Pilotage: See PILOTAGE.

Foreign vessels of the burthen of sixty tons or under,

power of H. M. to exempt them from liability to take on board pilots,
4 G.4. c.77. s.5.—212. pl.9.

order in council, how published, *id. ibid.*

to be laid before parliament, *id. s.6.—212. pl.10.*

SHIPPING (BRITISH). (pages 212—218.)

Regulations concerning the registry of ships:

Statutes relating to, repealed, 4 G.4. c.41. s.1.—212. pl.12.

This act when in force, 6 G.4. c.110. s.1.—212. pl.14.

Registry, [pl. 15.]
British ships must be registered, or they lose their privileges, *id.* s.2.—212.

ships entitled to be registered,

those wholly owned by H. M.'s subjects, and of the built of the U. K., *id.* s.5.—213. pl.18.

Guernsey or Jersey, *id.* *ibid.*

the British colonies, when, *id.* *ibid.*

Malta, Gibraltar, or Heligoland, *id.* *ibid.*

those condemned,

as prize of war, *id.* *ibid.*

for breach of slave-trade laws, *id.* *ibid.*

those repaired abroad, when,

report to be made on oath, by and to whom, and when, *id.* s.6.—213. [pl. 19.]

penalty on master not making, *id.* *ibid.*

necessity of repairs, how proved, *id.* *ibid.*

certificate of repairs endorsed on certificate of registry, *id.* *ibid.*

what to state, *id.* *ibid.*

under orders in council to that effect,

when allowed, and for how long, *id.* s.7.—213. pl.20.

Ships lose the benefit of registration,

where unseaworthy or stranded, when, *id.* s.9.—213. pl.22.

where incapable of repairs, when, *id.* *ibid.*

where repaired abroad, when, *id.* s.6.—213. pl.19.

where captured by the enemy, *id.* s.10.—213, 214. pl.23.

where sold to foreigners, *id.* *ibid.*

proviso for ships duly condemned as prize, *id.* *ibid.*

where owned in whole or in part by persons,

having taken oath of allegiance to any foreign state, *id.* s.13.—214. pl.26.

exception where afterwards naturalized or made denizen, *id.* *ibid.*

residing abroad; exception, *id.* *ibid.*

Ship not registered,

not entitled to privileges of British ships, 6 G.4. c.110. s.2.—212. pl.15.

exercising such privileges,

forfeiture, *id.* s.44.—213. pl.17.

how and by whom seized, *id.* *ibid.*

proviso for ships registered prior to 31st Dec. 1823, *id.* *ibid.*

prior to 5th Jan. 1826, *id.* *ibid.*

Registry in particular cases,

ships condemned as prize of war, or for breach of the slave trade laws,

certificate of condemnation produced, *id.* s.29.—216. pl.42.

how signed and sealed, *id.* *ibid.*

by whom granted, *id.* *ibid.*

account in writing of what further particulars required, *id.* *ibid.*

by whom made and subscribed, *id.* *ibid.*

surveyor how appointed, *id.* *ibid.*

oath of identity, what required, *id.* *ibid.*

not to be in Guernsey, Jersey, or Man, *id.* s.30.—216. pl.43.

to be at what ports only, *id.* *ibid.*

by what officers made there, *id.* *ibid.*

at Malta, Gibraltar, or Heligoland,

what ships only to be registered at, *id.* s.3.—213. pl.16.

such ships not entitled to registry elsewhere, *id.* *ibid.*

what privileges only conferred by, *id.* *ibid.*

owners of vessels required to be registered under this act,

persons having taken the oath of allegiance to any foreign state, not to be, *id.* s.13.—214. pl.26.

exception where subsequently naturalized or made denizen, *id.* *ibid.*

persons residing abroad, *id.* *ibid.*

exception, *id.* *ibid.*

must own one sixty-fourth part at least, *id.* s.32.—217. pl.45.

to declare on oath the number of shares they hold, *id.* *ibid.*

Certificate of built,

to be produced before certificate of registry granted, *id.* s.25.—216. pl.38.

what to state, and by whom given, *id.* *ibid.*

oath of identity, what required, *id.* *ibid.*

by and before whom taken, *id.* *ibid.*

Oath previous to registry,

by whom taken where ship owned by a corporate body, *id.* s.14.—214. [pl. 27.]

form of, *id.* *ibid.*

by whom taken where ship owned by one person only, *id.* *ibid.*

so where there are two or more owners, *id.* *ibid.*

addition where the required number do not attend, *id.* s.15.—214. [pl. 28.]

form of, *id.* s.14.—214. pl.27.

must be produced to and by whom, on request, *id.* s.43.—218. pl.56.

copies of, how far evidence, *id.* *ibid.*

may be taken by any person, *id.* *ibid.*

Survey previous to registry,

when made, *id.* s.16.—214. pl.29.

who shall make, *id.* *ibid.*

duty of surveyor on, *id.* *ibid.*

in whose presence made, *id.* *ibid.*

SHIPPING (BRITISH) — Regulations concerning Registry — continued.

Survey previous to registry,

account in writing of the particulars required,

how made, and to whom delivered, 6 G.4. c.110. s.16.—214. pl.19.

how signed, *id.* *ibid.*

Admeasurement previous to registry,

method of, for ascertaining ship's burden, *id.* s.17.—215. pl.30.

rule for taking, *id.* *ibid.*

method of, where ship afloat, *id.* s.18.—215. pl.31.

rule for, *id.* *ibid.*

method of, in case of steam-vessels, *id.* s.19.—215. pl.32.

tonnage ascertained according to these methods,

deemed for ever after the tonnage of the ship, *id.* s.20.—215. pl.33.

repeated in every registry, *id.* *ibid.*

exception where ship measured afloat, *id.* *ibid.*

where ship altered in form or burden, *id.* *ibid.*

where discovered to have been erroneously taken, *id.* *ibid.*

Bond on registry,

to be given on obtaining certificate of registry, *id.* s.21.—215. pl.34.

to be given by master, and what owners, *id.* *ibid.*

to be approved of, and taken by whom, *id.* *ibid.*

penalty, and condition of, *id.* *ibid.*

how given, when ship not at her own port, *id.* *ibid.*

bond given by master in such case, transmitted to whom, *id.* *ibid.*

effect of both bonds together, *id.* *ibid.*

to be given by new master, on change of old one, *id.* s.22.—215. pl.35.

penalty and condition of, *id.* *ibid.*

[—216. pl.39.]

de novo, or where licence granted where certificate has been lost, *id.* s.26.

Persons authorized to register the ships,

who to make registry, and grant certificate thereof,

in the ports of the U. K., 4 G.4. c.110.s.3.—213. pl.16.

in the Isle of Man, *id.* *ibid.*

in Guernsey or Jersey, *id.* *ibid.*

in the colonies in Asia, Africa, or America, *id.* *ibid.*

in ports within the limits of the E. I. Co., *id.* *ibid.*

in Malta, Gibraltar, or Heligoland, *id.* *ibid.*

in the Cape of Good Hope, *id.* *ibid.*

Ports at which registry to be made,

the port to which the ship belongs, *id.* s.11.—214. pl.24.

registry made elsewhere, void, *id.* *ibid.*

exception,

where officer acts under special power from board of customs, [id. *ibid.*

board of customs to grant such power, when, *id.* *ibid.*

where ship is condemned as prize,

in Guernsey, Jersey, or Man, *id.* *ibid.* (See ante.)

what port shall be deemed the ship's port, *id.* s.12.—214. pl.25.

Books of registry, at ports of registry,

who to keep, *id.* s.11.—214. pl.24.

what to be entered in, *id.* *ibid.*

registries in, to be numbered in progression, *id.* *ibid.*

each numeration to commence with the year, *id.* *ibid.*

charge of master to be entered in, *id.* s.22.—205. pl.35.

entry in, on transfer of property, (see post.)

what to state, and by whom made, *id.* ss.37. 45.—217. 219. pl.50. 58.

open to inspection by public, *id.* s.43.—218. pl.56.

extracts from may be taken by any person, *id.* *ibid.*

deemed evidence, when, *id.* *ibid.*

Change of master,

[—215. pl.35.]

old master to deliver up certificate of register to whom, and when, *id.* s.22.

notice of, to be endorsed on certificate, *id.* *ibid.*

to be transmitted by and to whom, *id.* *ibid.*

to be entered in registry-book, *id.* *ibid.*

new master to enter into what bond, *id.* *ibid.*

Alteration in ship,

ship registered *de novo*, when, *id.* s.28.—216. pl.41.

Certificate of registry:

Certificate of registry,

form of, 6 G.4.c.110. s.2.—212. pl.15.

must be obtained in order to confer the privileges of British ships, *id.* *ibid.*

shares of different owners,

endorsed thereon, *id.* *ibid.*

form of endorsement, *id.* *ibid.*

copies of entered in a book at port of registry, *id.* s.11.—214. pl.24.

to be transmitted monthly to and by whom, *id.* *ibid.*

not to be sold, lent, or otherwise disposed of, *id.* s.21.—215. pl.34.

to be used solely for ship for which granted, *id.* *ibid.*

to be delivered up how soon, and to whom,

if ship lost or taken by the enemy, *id.* *ibid.*

burnt or broken up, *id.* *ibid.*

prevented by any means from returning to her port, *id.* *ibid.*

has lost the privileges of a British ship, *id.* *ibid.*

is seized and condemned for illicit trading, *id.* *ibid.*

is sold by process of law, when, *id.* *ibid.*

is sold to the crown, *id.* *ibid.*

is registered *de novo*, *id.* *ibid.*

if a foreigner has any interest in her, *id.* *ibid.*

SHIPPING (BRITISH) — *Certificate of Registry — continued.*

Certificate, how soon and to whom delivered up if ship in a *British* port, 6 G.4. c.110. s.21.—215. pl.34.
 if ship in a foreign port, *id. ibid.*
 if ship at sea, *id. ibid.*
 if the master is changed, *id. s.22.—215. pl.35.*
 how soon, and to whom delivered up, *id. ibid.*
 notice of change endorsed on certificate, *id. ibid.*
 transmitted to and by whom, *id. ibid.*
 on registry *de novo*, where certificate has been lost and found again, *id. s.26.—216. pl.39.*

Lost or mislaid,

ship may be registered *de novo*, when, *id. s.26.—216. pl.39.*
 licence instead of certificate,
 when sufficient, *id. ibid.*
 by whom granted, *id. ibid.*
 force of, *id. ibid.*
 what oath required before same granted, *id. ibid.*
 oath, what to state, *id. ibid.*
 what bond required, *id. ibid.*
 ship to be surveyed, how, *id. ibid.*
 certificate of survey, by whom preserved, *id. ibid.*
 when to be delivered up, *id. ibid.*
 bond for delivering up certificate when found to be given, *id. ibid.*
 by whom, and to whom given, *id. ibid.*
 registry *de novo* allowed in virtue of licence after ship's departure, when, *id. ibid.*
 certificate of, transmitted to port where master is, to be given to him on entering into the bond, *id. ibid.*

Persons detaining,

to deliver same up under forfeiture of the bond given on registration, *id. s.23.—215. pl.36.*
 how to proceed, *id. s.27.—216. pl.40.*
 what persons liable to such proceedings, *id. ibid.*
 what persons may take such proceedings, *id. ibid.*
 power of justice of peace herein, in U. K., *id. ibid.*
 so of the courts and justices of peace,
 in *Guernsey, Jersey, or Man*, *id. ibid.*
 in the *British* colonies, *id. ibid.*
 in *Malta, Gibraltar, or Heligoland*, *id. ibid.*
 warrant for arresting offender, how granted, *id. ibid.*
 offender examined as to detainer, *id. ibid.*
 penalty on, *id. ibid.*
 not paid, how punished, *id. ibid.*
 absconding, how to proceed, *id. ibid.*
 ship registered *de novo*, how and when, *id. ibid.*
 certificate of detainer to be granted by whom, *id. ibid.*
 to be produced, when, *id. ibid.*
 licence instead of certificate of registry, when, *id. ibid.*
 Indorsement on, on transfer of property, *id. s.39.—218. pl.52.*
 after 5th July 1825.,
 those only in force which are granted,
 under 4 G.4. c.41., *id. s.35.—217. pl.48.*
 under this act, *id. ibid.*
 must contain the number of shares held by each owner, *id. ibid.*
 exception where time for registering has been given, *id. ibid.*
 such time to be certified on the certificate, *id. ibid.*
 no stamp duty payable on, *id. s.36.—217. pl.49.*
 so also on *Mediterranean Pass* attached to it, *id. ibid.*

Granted in *Scot. or Ire.*,

board of customs there to send copies to board of customs in *Eng.*, *id. s.47.—219. pl.60.*

Proceedings in the colonies touching the force of,

governor, &c. may stay, when, *id. s.48.—219. pl.61.*
 what representation made to governor, *id. ibid.*
 power of H. M. in council herein, *id. ibid.*
 copies to be transmitted to whom, and by whom, *id. ibid.*
 governor to state his reasons for staying, *id. ibid.*
 what other documents may be transmitted, *id. ibid.*

Registry *de novo* :

Where the owner who subscribed the oath on registration, transfers his shares, *id. s.12.—214. pl.25.*
 to be done before ship sails again, *id. ibid.*
 proviso, where no time to comply with act, *id. ibid.*
 duty of controller herein, *id. ibid.*
 proviso where ship built in the colonies for owners residing in the U. K., *id. ibid.*
 duty of the master herein, *id. ibid.*
 power and duty of the controller herein, *id. ibid.*
 certificate in lieu of certificate of registry, *id. ibid.*
 force of, *id. ibid.*
 copy of, transmitted to board of customs, *id. ibid.*
 Where the certificate of registry is lost or mislaid, *id. s.26.—216. pl.39.*
 what bond required in case of, *id. ibid.*
 under licence granted on certificate lost or mislaid, *id. ibid.*
 how done after ship's departure, *id. ibid.*

SHIPPING (BRITISH) — *Registry de novo — continued.*

Where certificate is unlawfully detained, 6 G.4. c.110. s.27.—216. pl.40.
 under licence in such case, *id. ibid.*
 Where ship is altered after registry made,
 must be registered *de novo*, when, *id. s.28.—216. pl.41.*
 how soon to be so re-registered, *id. ibid.*
 not so re-registered, deemed a foreign ship, *id. ibid.*
 Where a ship has been registered prior to 31st Dec. 1823., and not registered *de novo* between that day and 5th July, 1823., *id. s.34.—217. pl.47.*
 when, and for what ships necessary, *id. s.35.—217. pl.48.*
 Where time may be allowed for, *id. s.39.—218. pl.52.*
 effect of, in transfer of the property, *id. ibid.*
 Where a share has been sold since the last registry, and transfer has not been recorded and indorsed,
 instrument of transfer to be produced to whom, *id. s.41.—218. pl.54.*
 not produced, transfer not to be noticed, *id. ibid.*
 exception, *id. ibid.*
 may be recorded and indorsed on future production of it, *id. ibid.*
 Where a register *de novo* is desired, although not required by this act, same may be made if requisites hereof duly complied with, *id. s.42.—218. pl.55.*

Property in ships, or the transfer thereof :

Shares,

to consist of sixty-four only in each ship, *id. s.32.—217. pl.45.*
 number of, held by each owner described in register, *id. ibid.*
 a share less than a sixty-fourth does not entitle holder to a registry, *id. ib.*
 oath as to the number held by each owner to be made in registry by whom, *id. ibid.*
 where they cannot be reduced to any number of sixty-fourth parts, fractional parts transferred to whom, *id. ibid.*
 transfer of, how made, *id. ibid.*
 not subject to stamp duty, *id. ibid.*
 right of owners of, not affected hereby, *id. ibid.*
 where shares are held in partnership, or by joint stock companies, proviso for such shares, *id. ibid.*
 interest of each partner need not be distinguished, *id. ibid.*
 shares deemed partnership property, *id. ibid.*
 governed by the same rules as other partnership property, *id. ibid.*
 where a ship has been registered prior to 31st Dec. 1823., and not registered *de novo* between that day and 5th July 1825.,
 registry of, under this act, how made, *id. s.34.—217. pl.47.*
 what instrument of title to be produced, *id. ibid.*
 what owners to produce them, *id. ibid.*
 not to be found, or not produceable,
 on oath of, registry allowed without specifying the number of shares of each owner, *id. ibid.*
 if registry in force is the first registry, and the shares of any of the owners remain the same, oath as to number of shares held by each owner,
 admissible instead of instrument of title, *id. ibid.*
 who to make such oath, *id. ibid.*
 where no certain account of shares can be given,
 registry allowed without specifying same, *id. ibid.*
 when, and for what ships necessary, *id. s.35.—217. pl.48.*
 owners of, only thirty-two persons to be, *id. s.33.—217. pl.46.*
 deemed tenants in common, *id. ibid.*
 may be registered as owners, *id. ibid.*
 proviso for minors, heirs, legatees, creditors, &c., exceeding thirty-two, deriving title from a registered owner, *id. ibid.*
 trustees of joint stock companies may be, when, *id. ibid.*
 what proof required to board of customs, *id. ibid.*
 how named by the company, and how many to be, *id. ibid.*
 may make the oath required previous to registry, *id. ibid.*
 oath in such case how altered, *id. ibid.*

Transfer of, after registry,

instrument of, [pl.44.
 to be by bill of sale or instrument in writing, *id. s.31.—216, 217.*
 to recite the certificate of registry, *id. ibid.*
 omitting such recital, not valid, *id. ibid.*
 misrecital not to avoid the sale, *id. ibid.*
 reciting one certificate for another, not to avoid sale, when, *id. ibid.*
 not effectual to pass the property,
 until produced to whom, *id. s.37.—217. pl.50.*
 until entered in registry book, *id. ibid.*
 entry, what to state, and by whom made, *id. ibid.*
 if the ship is not about to be registered *de novo*,
 indorsement on certificate of registry, *id. ibid.*
 by whom made, and what to state, *id. ibid.*
 form of, *id. ibid.*
 effectual to pass the property,
 when, and as against whom, *id. s.38.—217. pl.51.*
 not against subsequent purchasers, &c. when, *id. ibid.*
 notice to the board of customs, how and when given, *id. ibid.*
 certificate of observance of these particulars, [id. ibid.
 collector may be required to indorse same on instrument of transfer,

SHIPPING (BRITISH) — *Property in Ships — continued.*

Transfer after registry — instrument of,
 entry of, in registry-book,
 property not passed until made, 6 G.4. c.110. s.37.—217. pl. 50.
 what to state, and by whom made, *id. ibid.*
 made, property passed, *id. ibid.*
 exception for subsequent purchasers, when, *id. ibid.*
 once made, [pl. 52.
 no subsequent one allowed for thirty days, *id. s.39.—217, 218.*
 proviso where transfer made in ship's absence from her port, *id. ibid.*
 where two or more instruments of transfer entered,
 no subsequent entry allowed for thirty days from last entry, *id. ibid.*
 proviso where ship absent from her port, *id. ibid.*
 where two or more instruments of transfer of same property by same
 owners are made, proviso, *id. ibid.*
 governed by indorsement on certificate of registry, *id. ibid.*
 when time allowed, indorsing certificate of registry, or registry *de novo*,
 memorandum of, to be made in register-book, *id. ibid.*
 no instrument of transfer to be made during that time, *id. ibid.*
 Indorsement on certificate of registry,
 to effectuate a transfer,
 by whom made, and what to state, *id. s.37.—217. pl.50.*
 form of, *id. ibid.* [the same owners,
 where two or more of the transfers are made of the same property by
 by whom made, and what to state, *id. s.39.—218. pl.52.*
 what instrument of transfer to be so indorsed, *id. ibid.*
 priority of, will prevail over priority of entry in register-book, *id. ib.*
 proviso for granting time for production of certificate to be
 indorsed, *id. ibid.*
 who may grant such time, and effect thereof, *id. ibid.* [book,
 during such time, no entry of transfer to be made in register-
 where ship at time of transfer is at any other port than that to which
 she belongs,
 by whom and when may be made, *id. s.40.—218. pl.33.*
 instrument of transfer and certificate duly indorsed with notification
 of being recorded, to be produced, *id. ibid.*
 notice of, to be given, and to and by whom, *id. ibid.*
 to be recorded at the ship's port also, *id. ibid.*
 notice of requisition to indorse certificate,
 by and to whom, and when to be given, *id. ibid.*
 notice of other transfer entered in book of registry,
 by and to whom given, *id. ibid.*
 duty of collector on receipt thereof, *id. ibid.*
 where a transfer has not been indorsed or recorded at time when made,
 allowed to be done at a future period, when, *id. s.41.—218. pl.54.*
 instrument of transfer to be produced if ship registered *de novo*, *id. ib.*
 not produced, transfer not noticed, *id. ibid.* [post.)
 where transfer made to secure a debt, *id. s.45.—219. pl. 58.* (See
 where shares, &c. are sold in owner's absence without formal powers,
 how far valid, *id. s.44.—218. pl.57.*
 transfer may be registered if necessary, *id. ibid.*
 may be recorded and indorsed, *id. ibid.*
 what proof required, and before whom made, *id. ibid.*
 where instrument of transfer cannot be produced, or cannot be proved
 to have been made,
 may be registered notwithstanding, when, *id. ibid.*
 what proof required, and before whom made, *id. ibid.*
 security for production of a legal power, or bill of sale,
 must be given, *id. ibid.*
 condition of, *id. ibid.*
 available to protect the absent owner, *id. ibid.*
 transfer by way of mortgage to secure a debt, or by assignment to
 trustees for sale to pay any debt,
 entry in register-book, what to state, *id. s.45.—219. pl. 58.*
 indorsement on certificate of registry, *id. ibid.*
 vendee not deemed owner, *id. ibid.*
 vendor not deemed to have ceased to be owner, *id. ibid.*
 exception, how far, *id. ibid.*
 bankruptcy of vendor, mortgagor, &c., after transfer registered,
 how far it affects the rights of vendee, &c., *id. s.46.—219. pl.59.*
 rights of vendee against the assignees, *id. ibid.* [18. pl. 94.
 sale of ship by bankrupt, when valid or not, 6 G.4. c.16. s.72.—

Miscellaneous :

The 4 G.4. c.41.
 acts repealed by, *id. s.1.—212. pl.12.*
 preamble of, *id. ibid.*
 repealed; exception, 6 G.4. c.105. s.371.—212. pl.11.
 The 6 G.4. c.110.
 preamble and title of, 212. pl.13.
 when to take effect, *id. s.1.—212. pl.14.*
 Acts by this act required to be done,
 by collector or controller of H. M.'s customs,
 may be done by whom in Guernsey or Jersey, *id. s.3.—213. pl.16.*
 in India, *id. ibid.*
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SHIPPING (BRITISH) — *Miscellaneous — continued.*

by commissioners of customs,
 how many may do the act, 6 G.4. c.110. s.3.—213. pl.16.
 by what other persons same may be done, *id. ibid.*
 Name of ship,
 not to be altered after registry, *id. s.24.—215. pl.37.*
 to be painted on ship, how and where, *id. ibid.*
 also the port to which she belongs, *id. ibid.*
 taking in cargo before same painted; penalty, *id. ibid.*
 so wilfully to alter, hide, or conceal same, *id. ibid.*
 exception for square-rigged vessels, when, *id. ibid.*
 so for describing ship by wrong name in any document, *id. ibid.*
 to any revenue officer in execution of his duty, *id. ibid.*
 penalty in these cases, by whom paid, *id. ibid.*
 Stamp duty,
 none payable on first registry under this act, when, *id. s.36.—217.*
 pl.49.
 none payable on Mediterranean Pass, when, *id. ibid.*
 Evidence,
 as to ownership of ships, copies of the affidavit, register and entry required
 on registry of ships, deemed so, when, *id. s.43.—218. pl.56.*
 of collectors, &c. as to ownership dispensed with, *id. ibid.*
 False swearing under this act,
 how punished, *id. s.49.—219. pl.62.*
 Forging or counterfeiting any certificate or other instrument in writing
 under this act,
 penalty, *id. ibid.*
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Duties repealed,

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and not worth 5*l.* *per annum* rent, 6 G.4. c. 7. s. 1.—288. pl. 24.

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 to give notice to surveyor thereof, 4 G.4. c.11. s.6.—293. pl.65.
 such notice, when to be given, *id.* *ibid.*
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THAMES POLICE. See BUMBOAT ACT.

Powers and provisions of Bumboat act, 2 G.3. c.28., extended to Thames Police act, 3 G.4. c.55. s.42.—199. pl.45.

Thames police surveyors,

how many employed besides officers, 3 G.4. c.55. s.5.—194. pl.6.
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 may enter all vessels, except H. M.'s, lying on the Thames, its creeks, docks, wharfs, &c. by day or night, to inspect conduct of persons on board, and to provide against fire, and to keep the peace, &c. *id.* *ibid.*
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 power of, in case of suspecting felonies to have been committed, or to be about to be committed on board any ship, &c. on the Thames, &c. 3 G.4. c.55. s.31.—198. pl.33.
 power of, to search for and remove unlawful quantities of gunpowder on board ships on the Thames, &c. *id.* s.32.—198. pl.35.
 boats of Thames police office, and their sails, oars, tackle, goods, &c. persons damaging or destroying, or attempting so to do, remedies, *id.* s.30.—198. pl.33.

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boats, craft, &c. carrying. [3 G.4. c.55. s.33.—198. pl.36.
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 framing or producing them is a misdemeanor, *id.* s.37.—199. pl.40.
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 convictions, by whom had; how certified and drawn up; not removable by *certiorari*, *id.* s.41.—199. pl.44.

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Wages of workmen employed in the shipping on the river, and quays, &c. adjoining, 3 G.4. c.55. s.44.—199. pl.47.

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 what workmen subject to this jurisdiction, *id.* *ibid.*
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 if sum ordered to be paid is not paid for twenty-four hours, how levied, punishment if no distress, *id.* *ibid.*
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Miscellaneous:

guns shot or loaded on board vessels not H. M.'s in the river between Westminster Bridge and Blackwall. (See Index to Digest. tit. LONDON (Shipping); Ports. [when; penalty, *id.* s.36.—198. pl.39.
 masters of vessels not to keep them so, or permit firing them, except melting pitch, tar, rosin, grease, tallow, or oil, on board vessels within above limits; penalty, *id.* *ibid.*

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limitation of information for two last offences; conviction; appeal; application of penalties, 3 G.4. c.55. s.36.—198. pl.39.
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 of the lord mayor and citizens of London or Southwark, or over the Thames, *id.* s.46.—200. pl.49.
 of the lord mayor, or aldermen who have borne a mayoralty, or of the recorder to act as justices in Southwark, *id.* *ibid.*
 of the dean and chapter, high steward, or high bailiff of Westminster, *id.* s.47.—200. pl.50. pl.51.
 of master, wardens, and assistant of the Trinity house, *id.* s.48.—200.

THRASHING MACHINE.

Setting fire to, or destroying by rioters, see 3 G.4. c.33. s.1., MALICIOUS MISCHIEF.

THREATENING LETTER. See OFFENCES.

Sending or delivering letter with or without signature,] demanding money or other valuable, or threatening to kill any subject, or to destroy his house, outhouse, barn, corn, hay, or straw; or to accuse a subject of any crime punishable by death, transportation, or felony, or of any infamous crime, with view to extort money; how punished, 4 G.4. c.54. s.3.—175. pl.19. [pl.20.
 infamous crime within 4 G.4. c.54. what, 6 G.4. c.19.—175, 176.

THREATENING.

To accuse any person of any crime punishable by law with death, transportation, or pillory, or of any infamous crime. (See 6 G.4. c.19.—176. pl.22.) with intent to extort money, security for money, goods, &c. 4 G.4. c.54. s.5.—176. pl.22.

TRANSPORTATION. (pages 294—297.)

Regulations connected with the transportation of offenders:

Offenders convicted of crimes punishable with transportation, to be transported accordingly, 5 G.4. c.84. s.2.—294. pl.4.
 orders for transportation of, executed under this act, *id.* *ibid.*
 Offenders convicted of crimes excluded clergy, and pardoned on condition of transportation,
 secretary of state to signify same, to whom, *id.* s.2.—294. pl.4.
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 order for transportation of, how recorded, *id.* *ibid.*
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 in Scot., when sentence of death remitted by H. M., court of judicary to order offender to be transported, *id.* *ibid.*
 Offenders adjudged to transportation by courts not within the U. K., or convicts sentenced to death by such courts, but pardoned on condition of transportation,
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 where imprisoned until transported, *id.* *ibid.*
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 Offenders in prison under sentence of transportation,
 shall be kept to hard labour, when, *id.* s.18.—296. pl.20.
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Removal of the convicts to the vessel,

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 to remove the offenders, *id.* s.4.—294. pl.6.
 to cause them to be examined by a surgeon, *id.* *ibid.*
 to deliver them to contractor at the vessel, *id.* *ibid.*

TRANSPORTATION—Regulations for transporting offenders—continued.

Removal; sheriff, &c.
 to give also a copy of sentence, how, 5 G.4. c.84. s.4.—294. pl.6.
 copy how attested, *id. ibid.*
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TURNPIKE ROADS. (pages 297—329.)

The various editions of the acts referring to this subject are all furnished with copious alphabetical indexes, it has therefore been deemed most advisable to offer no analysis of them in this place, the more especially as an expectation exists that these laws will be further amended and consolidated at no distant period.

V.

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- Cognovit actionem* in K. B. or other courts, and affidavits of time of exe-
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Rate of interest on mortgages of lands, &c. in, may exceed 5*l.* per cent. 3 G.4. c.47.—146, 147, tit. MORTGAGES.

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Long measure, whether, lineal, superficial, or solid.

12 inches make 1 foot,
3 feet — 1 yard,
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1760 yards — 1 mile, 5 G.4. c.74. s.1.—336. pl.3.

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4840 square yards } 1 acre. *id.*, s.2.—336. pl.4.
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so all superficial measures, *id.*, s.2.—336. pl.4.
if lost, how restored, *id.* s.3.—337. pl.5.

power of H. M. herein, *id.* *ibid.*

Measures of weight in general.

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20 penny-weights — 1 ounce.
12 ounces — 1 pound.
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7000 grains make 1 pound.
16 ounces — 1 pound.
16 drams — 1 ounce, *id.* s.4.—337. pl.6.

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4 quarts — 1 gallon.

2 gallons — 1 peck.

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WEIGHTS AND MEASURES — *Provisions for equalizing — continued.*

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